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ARCHIVES OF MARYLAND XLI

PROCEEDINGS

OF THE

PROVINCIAL COURT OF MARYLAND

(3)

1658-1662

PUBLISHED BY AUTHORITY OF THE STATE UNDER THE DIRECTION OF THE
MARYLAND HISTORICAL SOCIETY

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UNIVERSITY OF MICHIGAN

LETTER OF TRANSMISSION

ROOMS OF THE MARYLAND HISTORICAL SOCIETY,

BALTIMORE, *September 1, 1922.*

To The Maryland Historical Society:

GENTLEMEN :

We have the honor to submit the forty-first volume of the Archives of Maryland, containing the Judicial Business of the Provincial Court from January 1657/8 to 1662. The text of the volume is taken from the manuscript in the Land Office at Annapolis, which had been copied some years ago, while deposited with the society. This is the third volume of the Proceedings of the Provincial Court, volumes four and ten of the Archives containing the Proceedings of that Court in the early years of Provincial History. The latter of these volumes was printed in 1891 and now, after a lapse of thirty years, the third volume in the series is issued.

We have made a break in the series of Proceedings and Acts of the Provincial Assembly at the year 1740, in order to publish this volume, for several reasons. It seems desirable to remind those interested in Maryland Provincial History that the Archives, as originally planned, should consist of several series, including the proceedings of the Council and the Provincial Court as well as of the Assembly. The publication of the Council series has progressed as far as the year 1779 and we hope, in some future volume, to continue it from that date.

The intrinsic interest of the volume of Provincial Court Proceedings is a second reason for issuing. There have been several requests from students of Maryland History that we make accessible to them these Proceedings for the period subsequent for that included in the earlier volumes.

Minor reasons for inserting this volume in the series at this point are, first that the material embraced herein has long been copied and, by printing it, the expense of copying manuscript is avoided, and, further, that the editor of the series, himself a lawyer by profession, has long desired to have the privilege of editing for publication some of the early reports of the Courts of Maryland, in the hope that he may be able to make toward the History of Jurisprudence in the Province a contribution, comparable in kind to that made to the History of English Jurisprudence by the publications of the Selden Society. A very few of the decisions of the Provincial Court appear in the first volume of Harris & McHenry's Reports; but, for the most part, these Provincial decisions exist only in manuscript.

We do not know any of the thirteen original states, which have as yet printed in full the Proceedings of their Colonial Court of the last resort, and we hope that Maryland may have the privilege of being the first state to make such publication, believing that these decisions will be of use to students, not merely from the antiquarian and genealogical point of view, nor even that their usefulness will be further limited to lawyers and students of jurisprudence, but that their publication will confer a boon also upon students of the economic, social, political history of the Province of Maryland.

An address delivered at The Johns Hopkins University on the 25th of March, 1903, the anniversary of the landing of Lord Baltimore's first colonists, was the beginning of a careful and minute study by the editor of the history of Maryland under the Proprietary Government in the 17th century. As prologues to the history of this period, he has written articles on the "First Lord Baltimore and his Colonial Projects," which appeared in the Annual Report of the American Historical Association for 1905, and one on the "Maryland Charter and the Early Explorations" of that Province, which was printed in the Sewanee Review for 1907. A by-product of the author's study in this period was an address upon "Maryland's First Courts," published in the Annual Report of the American Historical Association for 1901. The first of the monographs dealing with the history of the period above named, was entitled "Beginnings of Maryland, 1631-1639" and was published in Series XXI of The Johns Hopkins University Studies, for 1903. This was followed by a second monograph, entitled "Maryland during the English Civil Wars," also published in the Studies for 1906 and 1907. The monograph was divided into two parts: the one extending from 1639 to 1642, and the other, from the latter date to 1649. A third monograph, entitled "Maryland under the Commonwealth," carried on the history to the Restoration of the Province to the Proprietary.

The character of Cecilius Calvert, second Lord Baltimore and first Lord Proprietary of the Province of Maryland was summed up by the first editor of the Archives, Dr. William Hand Browne, in his "Lives of George and Cecilius Calvert," at page 156, thus: "Hostile critics have censured Baltimore as a timeserver, because he adapted his policy to the emergencies of the time, but there seems no sufficient ground for the charges Baltimore's first duty was to his colonists, who had trusted their lives and fortunes to him and to the safeguards of his charter. To commit Maryland to either side was to bring upon it, probably, civil war, and almost certain ruin, if the adverse side succeeded. His colonists also were divided in opinion. His clear duty was to shield them if possible, submitting to the logic of events Had he become a partisan of the winning cause, had he used his influence to attack or injure his

enemies, he might stand condemned with Claiborne, but his memory is clear from that reproach. All that he asked from King, Parliament, or Protector was that his charter should be protected, until he could be shown to have violated it."

The second editor of the Archives, Clayton C. Hall, Esq., gave a similar judgment in his "Lords Baltimore," at p. 61, thus: "Throughout, Cecilius seems never to have lost courage and, under all circumstances, he bore himself with wisdom, patience, forbearance, and tact and, by these qualities, he triumphed in the end. His own interests and his own authority, he carefully guarded, but at the same time, he as carefully sought the welfare of the Province and of the people, who were in a sense his subjects, and when concessions seemed reasonably demanded, he knew how and when to yield and so exercised a much less autocratic power than was conferred by the terms of the charter from which his authority was derived."

These estimates coincide with the opinion of the present editor. With the period now begun in this volume, the student of Maryland History loses the wise guidance of John Leeds Bozman, the first historian of Maryland, whose remarkable work closes at this date. A new period had been reached, new questions arose, new conditions of living were experienced, the separation of Maryland from Virginia was certain, and thirty years followed before Baltimore's power in the Province should again be overthrown. The Province no longer had only two centres of life; but shores of the Chesapeake were becoming dotted with plantations and the tobacco ships penetrated nearly every river and estuary which was tributary to the Bay.

Lord Baltimore was to reap the fruit of his labors and his descendants should gain a rich return from the Province which he had founded and over which he had resumed his rule.

John Bruce in his Introduction, page vii, to the "Letters and Papers of the Verney Family" (Camden Soc. Pubs., vol. 56, 1853) wrote: "It would be a great excellence in our literature, and would make publications of this description far more valuable than they generally are, if attention were more frequently given to the precise circumstances and social position of the persons from whom original papers emanated, or to whom they relate. It is an erroneous, although among antiquaries by no means an uncommon notion, that unofficial papers are only of importance when they can be connected with the most interesting events or the most noble families. I should contend, on the contrary, that the value of such papers is to be estimated by the degree in which they give an insight into the feelings and opinions, the real inner life, and not the mere outside appearance, of the men and women, whatever their station, to whom they relate." While our official records for the Provincial Period are

remarkably complete, we lack any store of private or family papers. The nearest approach to any such papers, so as to give an insight into "the real inner life" of the people, is probably to be found in these Court Proceedings.

The first paragraph in the text, dating from 1655, should have been included in volume X, but was overlooked by Dr. Browne, the editor.

On December 29, 1657, there was held at Patuxent a session of Court before the Puritan Parliamentary Commissioners. Estates of deceased persons, and the freedom of indentured servants came before the Court. The qualification of attorneys was considered (p. 10) and a case of bastardy was instituted (p. 14). On January 30, 1657/8 and on February 16, 1657/8 Provincial Courts were again held, five or six commissioners sitting. Between sessions of the Court, depositions are frequently spread upon the records for security and they make dates rather confusing. Powers of attorney are also spread on the records from time to time (*e. g.*, p. 36) as are earmarks of cattle.

The first records of the Court under Governor Fendall, after the restoration of the Province to the Proprietary, begin a new manuscript volume and the first entry is made on March 25, New Year's day 1658, Old Style. A will is soon filed which is not named in Baldwin's Calendar (p. 43) and many suits for debt are instituted. It is interesting to note that reference is made to the County of Calverton (p. 38). We do not know where the first session was held, but that of April 26 was summoned for St. Leonard's in Calvert County (p. 38) and was held "at the Governor's house in Wicomico River." Suits concerning the ownership of cattle are of some interest and proceedings concerning Captain Lewis' estate take up some space. There is little change in the Proceedings of the Court, except possibly a little more formality than under Parliamentary Commissioners, and there are few references to the judicial acts of those Commissioners. Sketches of the life of Cuthbert Fenwick (p. 57) and of his widow, Mrs. Jane Eltonhead Fenwick, are to be found in the recently published "Life of Rt. Rev. Edward Dominic Fenwick" by Rev. V. F. O'Daniel. The summons for the Assembly of 1658 was entered in this volume (p. 61) instead of on the Council Records. On April 27, there is a (p. 66) reminiscence of the Severn fight. Several juries are impanelled at this session, while only one was found in the earlier pages. A suit between a husband and wife is instituted (p. 51). A woman pleads as attorney in fact for her husband (p. 73). Thomas Cornwalleyes sues for the non-delivery of two Indian youths as servants (p. 82). The sheriff claims fees for hanging John Dandy (p. 82). After the adjournment of the court, among the affidavits filed is one by James Veitch, which seems to point to the existence of a Presbyterian congregation. Rev. Matthew Doughty (p. 84) was a brother-in-law of Governor Stone and, after coming to Maryland, lived for many years at Nan-

jemoy in Charles County. He preached there and died about 1683. (Rev. J. W. McIlwain's *Early Presbyterianism in Maryland*. J. H. U. Studies in Historical and Political Science, 8th Series, 1890, pp. 7 to 9).

Cornwalleys *v.* Chandler (p. 82) suggests a reference to David M. Newbold's "Introduction of Equity Jurisdiction in Maryland," which does not refer to that case, but gives interesting facts as to early Provincial Equity. In May, 1658, on the pages of these records, instead of in the more appropriate Council volume, appear the appointments of sheriffs (p. 86) and of County Commissioners and Justices (p. 87), as well as the document establishing Charles County (p. 87). So too the appointment of a constable of St. Michael's hundred is noted (p. 91).

The Court was peripatetic, going on circuit and sitting at Governor Fendall's house on the Wicomico River in April, 1658 (p. 51), when a four-day session was held. After this session, as was usual, depositions and titles of suits docketed were entered upon the records, until the next session of court came. On July 20, the Court crossed the Bay (p. 105) and met at Thomas Bradnox's house on Kent Island. The proceedings of this session are found only in the Kent County Records. Another session was to have been held in September, but was postponed (p. 127) and finally convened at St. Leonard's in Calvert County on October 5. A man was convicted of charging too much for strong drink (p. 139) and was dismissed upon his good behaviour. Rev. Francis Fitzherbert was accused of sedition (p. 144) and of threatening excommunication against Thomas Gerard, because he did not bring his family to church.

On the second day of the Session, Rev. William Wilkinson, an Anglican Clergyman (p. 150), was also arraigned for having performed a bigamous marriage. A curious case of medical malpractice was tried. The mysterious word used to describe the remedy prescribed by Captain Waring for Adam Stavely's leg (p. 164) may have been *guiacum*, often spelled in olden times *gyacum*, *gwakum* or *giaticum*, formerly much esteemed as an alterative and stimulant; much used in chronic rheumatism. The nuncupative will of Benjamin Gill took up much attention (p. 169). The recent "troubles" in the Province come before us incidentally (pp. 177-178). The most of the actions are brought in contract, being actions of debt or of trespass on the case which had not yet developed into the more modern action of *assumpsit*. Captain Thomas Cornwalleys was a frequent plaintiff. The court registered earmarks for cattle and acted as a probate court. Wills and inventories are often filed here. In the inventory of Robert Parr's estate, on page 135, we find *Dowglas* or *Dowlas* and *Locram* sheets. The N. E. D. informs us that both were kinds of coarse linen which took their names from Doulas and Locronan in Brittany. A *five*, in the same inventory, is a wedge-shaped tool used for

cleaving and riving staves, shingles, etc. Comparatively few criminal actions were tried before the Court. A spirit of fairness is shown toward Indians (*vide*, p. 199). Occasionally, the title to real estate comes into litigation. The Court Baron of St. Gabriel's Manor is mentioned (p. 94). The coming of the Quakers, Josias Cole and Thomas Thurston (p. 104), occupies the Court's attention. There is a curious reference to a school (p. 100).

A fourth Provincial Court in 1658 was summoned for December and was held at St. Clement's Manor (p. 181). A case of alleged cruelty to a negro servant, causing his death, was then tried (p. 190). The next session began at St. Marie's on Wednesday, February 23, 1658/9 and lasted until March 3.

In the noteworthy inventory of goods stolen from Mr. Overzee's house, most of the terms are fairly clear in meaning (p. 207). *Say* was a cloth of fine texture resembling serge. A *safeguard* was an outer petticoat for women's wear, intended to save their clothes from dust, etc. A *bottom of thread* is thread wound on a core or nucleus.

The material which Mary Clocker wrapped around her may have been poult-de-soie, a heavy corded silk material used for dresses (p. 211). The story is a pathetic one. Mrs. Overzee apparently died in childbirth and Mrs. Williams and Mrs. Clocker took advantage of the confusion in the household to steal a great deal of linen. When the trial took place, they were convicted and sentenced to be put to death (pp. 223, 225). An amnesty, however, saved their lives (p. 258) and afterwards Clocker and the Sheriff had a controversy as to the payment of the fees for the imprisonment. A case arising out of this one was an unsuccessful accusation of theft boat, or attempting to compound a felony (p. 245), against Simon Overzee.

Other interesting trials of that time were those of Dr. Lumbrozo for blasphemy, showing the tolerance of the government (p. 203); of Simon Overzee for punishing a negro slave, who died afterwards (p. 204); and of Mrs. Fenwick, as to the ownership of a horse (p. 218). In this horse case, John Bigger appears, the first known horse trader in the Province (p. 219).

The estate of one of the men killed in the battle of the Severn came before the Court (p. 220). Cornwalleys, that great litigant, lost a boat, as he alleged, through David Ferreira's fault (p. 273). Many attachments were laid against the estates of men who had left the Province, especially against that of Capt. William Mitchell (*e. g.*, p. 227).

When Robert Holt was tried for bigamy and Rev. William Wilkinson was alleged to have been an accessory in remarrying him (pp. 228, 244), the prisoners alleged that the jury was a "very weak one to go upon so weighty a business . . . as life and death." There were few in Court who were not

Roman Catholics, while the defendants asked for a Protestant jury, "which the Governor consented unto as most reasonable" and he himself gave bail for Mr. Wilkinson.

Fendall issued a proclamation at this Session that no women should be "admitted or allowed as Attorneys for their husbands in any court" (p. 233).

A long proceeding about the estate of Mr. Benjamin Gill occurred at this Session (p. 237). William Hewes sued Capt. William Stone for labor in "setting up" a windmill (p. 251).

The identity of Mr. Overzee's cow (p. 252), the funeral expenses for Simon Antonio (p. 254), the existence of Indian slavery (p. 254) are of interest, as is the conviction of three persons to be hanged for larceny (p. 255). They escaped this punishment on account of the amnesty proclaimed when Richard Cromwell became Lord Protector. The proclamation of him in Maryland is given in this volume (p. 258). Attorneys gradually are taking the place of parties to a suit in pleading and an ordinance in regard to them was made at this time (p. 256).

The next Session was appointed to be held in Calvert County. By the way, though there were several other counties in the Province, the sheriff's returns of writs at the opening of Court session are almost uniformly from the four Southern counties on the Western Shore (*e. g.*, p. 270). All sorts of documents are spread upon the records *in perpetuum rei memoriam*, between court sessions. We find, for instance, an extent (p. 261), a jointure (p. 261), a will (p. 262), a bond (p. 263), an assignment (p. 264), a deed of gift of chattels (p. 264), following close upon each other. Snow Hill Manor, which was soon to take so much attention from the Court, appears in a question of title (p. 265). Order is issued for the arrest of Thomas Thurston, the Quaker (p. 268).

The Court met at Mr. George Reade's house on April 22. A prominent citizen of Kent brings suit because a maidservant had been sold him and had been found to have been infected mortally with venereal disease, by her seller as was alleged, against whom damages were asked (p. 270). Pleasanter cases, which aroused some interest, concerned the ownership of a horse (p. 277) and a cow (p. 281). An agreement for the building of a house called for a "Welch chimney"—a term I cannot explain (p. 281). On April 23, Cornwallleys sued to recover a fowling piece which the defendant alleged was left to him by the "soldiers who came from Severn," after the battle (p. 283). Illicit trade with the Indians by a Bostonian caused the forfeit of the bark, *Mayflower*, (p. 287).

A bastardy case (p. 291), a petition from an indigent person (p. 294), an order protecting orphans' estates in Anne Arundel County (p. 295), questions

of partition of, or of title to land (pp. 297, 298), and a grant of especial power to the sheriff of Anne Arundel County were among the outstanding events of the closing part of the Session, which adjourned on April 25.

Before the next session of the Court, the *St. George* came into St. George's River and the men upon her were arrested upon suspicion of piracy. Full notes are given of their examination (pp. 306 and ff.), and the vessel was confiscated. A Grand Jury of 16 men was impanelled and the sailors were banished from the Province (p. 310). The next session of the Court was "holden" in Anne Arundel County on August 2. Several people, probably Quakers, were called before the Court because they refused to take the oath of fidelity (p. 314). Men were punished for refusing to aid the sheriff (p. 316) and a curious suit appears for land upon which the settlers had "erected a meeting house" (p. 318). Four members of the Court were present,—the number usually fluctuated between four and six. Questions as to ownership of land in Kent County were determined and the mainland plantations were annexed to the Isle of Kent to form that County (p. 322).

The Court next met in Resurrection Manor at Mr. John Bateman's house in Calvert County (p. 325) on October 4, but speedily adjourned to reconvene at George Reade's house upon the following day. John Washington, of Westmoreland County in Virginia, brought accusation against Edward Prescott (p. 327) for hanging a woman as a witch on his ship bound from England to America. Washington excused himself from coming to the trial, inasmuch as he intended to "get my young son baptized, all the company and gossips being already invited" at the time the Court was summoned. Prescott "submitted himself to his trial," admitted the hanging, but alleged that the master of the ship and not he, the owner, was responsible and he was acquitted. A woman who had born a bastard was accused of child-murder, but the Court took the merciful view that the child had been born dead (p. 331). A woman successfully requests that the Calvert County Commissioners pay her for the care of a sick boy (p. 332). Men are apprehended for harboring Thomas Thurston (p. 333). A man sues another for stealing away his step-daughter who was under age, but the girl "confessed in Court that she did go willingly with him" (p. 336) and the Court granted a nonsuit. An appeal from St. Mary's County Court concerned the refusal of a man to permit tobacco hogsheads to be taken away in a ship (p. 341).

No further session was held, until the Court met at Mr. Gerard's house on St. Clement's Manor on February 28, 1659-60. Eight members were present and a clerk was appointed (p. 344). An orphan was granted the privilege of choosing a guardian. The opinion of each judge is given as to whether a ship captain ought to be punished for refusing to pay port duties (p. 346).

An itemized bill of a debt owed by a man who boarded with another (pp. 351, 352) is of interest; as is Dr. Barber's bill for medical attention (p. 353). There appears to have been much commercial intercourse with New England (*e. g.*, p. 354) and this trade led to some litigation. Tobacco caused the court surprisingly little trouble (p. 357). Capt. Tilghman successfully resisted a suit for damages (p. 358) on account of an alleged negligence through which it was claimed three servants were drowned, as they went ashore upon the ice. The transport of servants from England was an important matter (*e. g.*, p. 363). Among other cases of note at this session is one concerning a carpenter's bill for building a house (p. 366), the question of the payment of the sheriff's fees for the woman thief who had been sentenced to execution (p. 368, all the members of the Court filed opinions), a case of false imprisonment for 52 days (p. 369) whereby the complainant "lost his whole winter's employment," the plea of a sheriff for payment for the imprisonment and "decent and Christian-like burial" of one of the alleged pirates who returned to the Province and died there (p. 371). In one of the appearances of the Snow Hill Manor Case, we again find brief opinions from each member of the Court (p. 373).

On Monday, March 5, 1659-60, the record of Fendall's governorship closes, for his rebellion followed and the records of these weeks were ordered to be razed and were never copied into the volume which is extant (pp. 374, 379). On December 11, 1660, the Court convened at Robert Kingsberry's at Patuxent—one notices how seldom it met at St. Mary's. Philip Calvert, the Proprietary's halfbrother, was sworn in as Governor (p. 375), Henry Coursey as Counsellor and Secretary (p. 377) and Peter Bathe as Clerk. A great many minor cases were heard and an inquest was held on a servant alleged to have been killed by her master (p. 385).

Court was then adjourned to February 19, at St. Mary's. The name of Patriarch Dew (p. 385) arrests our attention. The agreement for indentured servants shows what was required of both master and servant (p. 387). William Calvert, son of Governor Leonard Calvert and ancestor of the present claimant of the title, Lord Baltimore, appears as a minor (p. 388), as does the well-known Augustine Herman (p. 389), who made a business arrangement with Simon Overzee which was interpreted after the latter's death. The windmill at St. Mary's is a source of litigation (p. 395), and we find an ordinary license (p. 398), as well as a contract between the commander of the Golden Lyon and a London merchant, concerning a "voyage to Patuxent and Severn" (p. 407). Runaway servants are sought and the trade with the Barbadoes and Manhattan Island is brought to our attention by directions from a Rhode Island man which are spread upon the records (p. 410). The session

began on February 19, 1660-1. Title to land (p. 415) and cattle (p. 416) and questions as to equipment and expiration of term of indentured servants arise (pp. 417, 418). A grand jury composed of men from St. Mary's, Calvert, Anne Arundel and Kent Counties (p. 419) filed indictments. Each member of the Court gave a separate opinion in a case of "duress of imprisonment" (p. 424). Gerard, Fendall and their associates in rebellion are indicted (p. 427) and Fendall and Gerard sign humble apologies (p. 429). A woman is accused of assault and battery (p. 430) and another one of murder of her infant, while a third woman is indicted for theft (p. 433). An action of defamation resulted from an accusation of a man for theft (p. 433). The term lasted until February 28—a long one, and before it closed we find a grant of a license to hunt and kill wild hogs (p. 441) and the issuance of writs for a session at the Assembly (p. 442). Few entries intervene before the date of that session, April 17, upon which the Provincial Court also met at St. Mary's. Trial occurred of a woman for defamation in that she accused another woman of theft (p. 445) and of several men charged with acting "mutinously and seditiously" in that they endeavored to secure Fendall and John Hatch when under arrest for sedition (p. 447). There were three verdicts filed by juries of inquest upon the bodies of three drowned persons (p. 452). Title to Leonard Calvert's lands came into litigation between William Calvert and Governor William Stone's estate and the notable Margaret Brent appeared as a witness (p. 454). A widow brings to court her differences with one of her late husband's daughters (p. 455). The session closed on April 23 and a special one was held at Spesutia on May 16 (p. 456) when a man was indicted for stealing a "parcel of black peak," and sentenced to be hanged, but was pardoned forthwith (p. 458). A final concord is entered (p. 460) and John Babtist appears (p. 460). We later learn that he was a "Moor from Barbary" (p. 499), but not a slave for life (p. 485), and we wonder whether he were a negro and if so whether he be not the first free negro of record in Maryland history and one too who appears to have had fully equal rights before the law with any other citizen. No further session occurred until October 8, 1661, when the Court met at St. Mary's (p. 468). An Indian slave was demanded in return for one sold to the "Queen of Portoback" (p. 471). John Lord of Hartford in New England appears as trading to Maryland. A conditional will is the subject of an action (p. 472). A man secured a verdict of damage from an assault (p. 474) and another man was exonerated from a charge of murder (p. 475). The age of Mr. Gerard's Irish servant was determined (p. 476). Grand Jury indicted William Giles (p. 471) and Anne Nevell, the latter for murder of her maidservant (p. 478). The jury brought in a verdict of not guilty and Mrs. Nevell was "cleared by proclamation" (p. 480). Peti-

tions from James Neale (p. 481) and John Hammond (p. 483), for the recovery of property left behind them when they went from the Province, recall the troublous times of the past. The filing of a deed for land calls our attention to a practice which became very common in the later years of the Court (p. 487).

On November 25, the Court met at St. Mary's under the Presidency of Governor Philip Calvert (p. 492) and on the following day he was succeeded in his dignity of Governor by his nephew, the heir apparent, Charles Calvert. Henry Sewall was made Secretary of State and the Session of the Court was continued (p. 493). Gerard's wife was sister to Abel Snow, the planter of Snow Hill Manor, and upon his death childless, Gerard claimed the manor in right of his wife, but Marmaduke Snow, a brother of Abel, living in England, now appears and considerable litigation follows as to the title to the manor (p. 495). Thomas Bradnox of Kent Island and his wife were tried for an alleged murder of a servant (p. 500) and, when freed, they sued the chief witness against them for conspiracy (p. 506). The following February 11, 1661-2, the Court met at St. Mary's; present: Charles Calvert, Governor, Philip Calvert, Chancellor, Henry Sewall, Secretary, and Baker Brooke, Councillor. Cornwalleys, who was a great litigant, had left the Province, but suits caused by him still arise, as one did now in regard to whether a girl who was a member of his household was an ordinary servant (p. 515). Two men were indicted for disturbing the minister and people at divine service in Newtown Hundred (p. 522) and others for killing an unmarked bull and certain marked hogs (p. 523). Men were also indicted for failing to attend on the guard when they were summoned (p. 524) and for being drunk and disorderly (p. 525). Capt. James Neale had difficulty as to the carpenter who built his house (p. 526) and the preciousness of nails is shown in the accusation against the carpenter that he threw away the bent ones. Robert Holt was presented for still living with Christian Bonnefield without being lawfully married to her (p. 528). He soon died and she had considerable trouble with his son (p. 592). John Hammond tried to avoid a confession of judgment alleged to have been made by Mrs. Hammond for him, "William Fuller then ruling the Country as Governor" (p. 528). Before the next session of the Court, William Bretton filed a deed of land as a site for a Roman Catholic Church for the "good and zealous" people of Newtown and St. Clement's Bay (p. 531).

On June 3, 1662, the Court met at St. Mary's (p. 533) and was much concerned with the title to Snow Hill Manor (p. 534) and with an alleged failure of a man to fulfil a contract to deliver 47 pounds of beaver skins and 108 muskrat skins (p. 536). The same man's bill at the tavern in St. Mary's

for intoxicating liquor is notable (p. 538). The word "diet" in the bill is probably equivalent to a meal. The maidservant who had accused Mrs. Bradnox now accuses her former lover, a youth of rather questionable character, of defaming her reputation (p. 550) and he was fined and ordered to ask her forgiveness upon his knees in open court. The drowning of the sheriff of St. Mary's County and his friend gave the Court considerable business (*e. g.*, p. 551). Killing and stealing a hog (p. 553) and contempt of Government in refusing to aid in the arrest of the alleged hogstealer (p. 553) gave the Court some difficulty, as did the disputed arrangements between a planter and a man who raised a crop of tobacco for him (p. 554). An interesting question as to the possession of real estate at the transfer (p. 559) appeared, in which case the rights of orphans received some consideration (p. 561).

Just before the Court adjourned, Rev. Francis Fitzherbert, a Roman Catholic priest, being informed against by "his Lordship's Attorney General," in whose name all criminal suits were brought, made a noble defense (p. 566) stating the fundamental principle of Christianity and interpreting the Charter in a notable way. In August, Philip Calvert made an attempt to confiscate some of Claiborne's property supposed to be within the Province (p. 568). The last half of the volume is very irregularly paged, but no pages are lacking entirely until the very end of the book, and all the existing pages are transcribed and printed in this volume.

The Court Session held at St. Mary's on October 7, 1662, found the Snow Hill Manor case still before it (p. 571). Two men were charged with breaking open the Governor's letters and the testimony shows, in an amusing way, how communications were passed from hand to hand (p. 573). Fendall sued the servant of his old associate Hatch for riding a horse to death (p. 575) and the legacy of a mare foal caused litigation (p. 582). Waste is alleged (p. 584) and a judgment is confessed for a "heifer and calf, the milk of the heifer" (p. 585). Dr. Lumbroso and Mr. Hammond fell out and the evidence in the case was quite discreditable to the physician (p. 590). A man is accused of trading with the Indians without license from the Lord Proprietor (p. 593).

The Provincial Court met again at St. Mary's, where Gov. Charles Calvert always summoned it, on December 2, 1662 (p. 598). A suit for defamation (p. 601) and one concerning a runaway servant (p. 601) together with a case of bastardy (p. 603) and one for assaulting the sheriff of St. Mary's (p. 602) are the most interesting ones recorded, but the best part of the proceedings of the session is missing and the extant part of the manuscript volume here ends.

"Historical students do not at this day need to be informed that legal archives are among the most important of their material," was truly written

by Sir Frederick Pollock in an article upon the "Study of Legal Records." ("History," October, 1921, p. 155).

"Back of every man lies the story of his race," wrote Miss Agnes Repplier in the *Atlantic Monthly* for April, 1922, and we cannot understand the Maryland of to-day, unless we have made study of the detailed history of the past years of this part of the world. To make this study possible, such volumes as this are indispensable.

SAMUEL K. DENNIS,
BERNARD C. STEINER,
JOHN M. VINCENT,
Committee on Publication.

ARCHIVES OF MARYLAND.

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1776, - - - - - 1892
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1693-1697, - - - - - 1899
- XX. PROCEEDINGS OF THE COUNCIL (6), 1693-1697 - - - - - 1900

- XXI. JOURNAL AND CORRESPONDENCE OF THE STATE COUNCIL (4),
APRIL 1, 1778—OCTOBER 26, 1779, - - - - - 1901
- XXII. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY (6),
1697/8—1699, - - - - - 1902
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1700—MAY, 1704, - - - - - 1904
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SEPTEMBER, 1704—1706, - - - - - 1906
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1707—1710, - - - - - 1907
- XXVIII. PROCEEDINGS OF THE COUNCIL (9), 1732—1753, - - - - 1908
- XXIX. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY (10),
1711—1714, - - - - - 1909
- XXX. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY (11),
1715—1716, - - - - - 1910
- XXXI. PROCEEDINGS OF THE COUNCIL (10), 1753—1761, CORRE-
SPONDENCE OF GOVERNOR SHARPE, IV, 1754—1765, - 1911
- XXXII. PROCEEDINGS OF THE COUNCIL (11), 1761—1770, MINUTES
OF THE BOARD OF REVENUE, 1768—1775, OPINIONS ON
THE REGULATION OF FEES, INSTRUCTIONS TO GOV-
ERNOR EDEN, MARCH 2, 1773, - - - - - 1912
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1717—APRIL, 1720, - - - - - 1913
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1727—1729, WITH APPENDIX OF STATUTES 1714—1726, - 1916
- XXXVII. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY (16),
1730—1732, - - - - - 1917
- XXXVIII. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY (17),
ACTS HITHERTO UNPRINTED, 1694—1729, - - - - 1918
- XXXIX. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY (18),
1733—1736, - - - - - 1919
- XL. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY (19),
1737—1740, - - - - - 1921
- XLI. PROCEEDINGS OF THE PROVINCIAL COURT (3), 1658—1662, - 1922

PROVINCIAL COURT PROCEEDINGS

PARLIAMENTARY COMMISSIONERS

At a Court holden at Providence May 27th Anno Domini 1655

Present

Captain General Fuller
M^r William Durand

M^r Edward Lloyd
Captⁿ Richard Ewens

Lib. C. B.
p. 317
1655, May 27

It is Ordered by this Court that (according to an act of Assembly in that Case provided) M^r Thomas Hatton late Secretary of this Province of Maryland shall have Power of distress for such fees as were due to him before the Resignation of the Government by Captain William Stone Iuly 1654

Re Hatton

William Durand Sec^y

At a Provinciaall Court Held at Putuxent the 29th of December 1657

Present { m^r Richard Preston. m^r William Parratt
 { m^r Iohn Hatch. m^r William Ewens
 { m^r

Lib. B. No. 3
p. 361
1657, Dec. 29

Attachment Granted to m^r Rich^d Smith Ver Cockerel

Smith v.
Cockerel

Whereas Richard Smith hath Petitioned this Court for Attachment against the Estate of Iohn Cockerel within this Province for a debt of two hundred Seventy and one pounds of Tobacco and Caske due by Accompt and the Said Cockerel being not resident, The Court doth therefore order that attachm^t be Granted against the Estate of the said Cockerel for Satisfaction of the Said Debt of two hundred Seventy and one pounds of Tobacco and Caske with Cost of Suit upon Legall Determinacōn

Whereas Cap^t William Mitchell arrested to this Court Thomas Gerrard Esq for a debt of Eight hundred Eighty three pounds of Tobacco and Caske (due upon discount) And it appearing to this Court that the Said Gerrard is indebted unto the Said Cap^t Mitchell upon the Said discount the aforesaid Summe of Eight hundred Eighty three pounds of Tobacco and Caske, which Summe the Said Cap^t Mitchell hath taken oath in Court that to the best of his knowledge

Mitchell v.
Gerrard

Lib. B. No. 3 he the Said Mitchell hath not reced either by himself, or his appointment, The Court doth therefore order that the Said Thomas Gerrard Esq Shall Satisfie unto the Said Cap^t Mitchell the afores^d Sum^e of Eight hundred Eighty three pounds of Tobacco and Caske or Else Execution.

Mitchell v. Cornwallis
p. 362 Refference inter Capt. Cornwallis Defend^t & Capt W^m Mitchell plft.
Refference is Granted unto Cap^t Thomas Cornwallis in a Suit wherein the Said Cornwallis is Defendant at the Suit of Cap^t Will^m Mitchell, untill the next Provinciaall Court in March

Lumbrozo v. Cockerel Attachm^t Ver: th^e Estate of Cockerel to Lumbrozo
Attachment is Granted against the Estate of Iohn Cockerell for a debt of one Thousand Seven hundred and fifteen pounds of Tobacco and Caske due by Bill unto Iacob Lumbrozo upon Legall Determination at the next Court.

Sledd v. Peake Refference inter m^r Sledd plf^t & Geo: Peake def^t
Whereas Ioshua Sledd Attorney of m^r Morris arrested to this Court George Peake, And the Said Peake desireing refference, untill the next Court, The Court doth order a Refference and that the Said Peake do take Care that a Servant return'd by the Said Peake unto the Said Sledd be provided for untill the next Court.

Evans Admin. v. Coberthat order ver: Rob^t Coberthat to Cap^t W^m Euens
Whereas Cap^t William Euens Administrator of the Estate of Cap^t Barriffe deceased arrested to this Court Robert Coberthat, for a debt of two hundred & fiftie pounds of Tobacco and Caske due by Bill unto the Estate of the Said Barriffe. The Court doth order that the Said Coberthat Shall Satisfie the Said Debt of two hundred and fiftie pounds of Tobacco and Caske with Cost of Suit, or Else Execution

Evans Admin. v. Makinney order Ver: Iohn Makinney to Cap^t W^m Euens
Whereas Cap^t W^m Euens Administrator of Cap^t Iohn Barriffe deceased arrested to this Court Iohn Makinney for a debt of four hundred pounds of Tobacco and Caske due by Bill unto the Estate of the Said Bariffe. The Court doth order that the Said Makinney Shall Satisfie the Said debt of four hundred pounds of Tobacco & Caske with Cost of Suit, or Else Execution.

Evans Admin. v. Lucas order Ver: W^m Lucas to Cap^t Will^m Euens
Whereas Cap^t William Euens Administrator of the Estate of Cap^t Iohn Barriffe deceased arrested to this Court William Lucas for a

debt of Eight hundred pounds of Tobacco and Caske due by Bill unto the Said Barriff. And Cap^t Sampson Waring acknowledging a Judgment in the behalf of the Said Lucas, The Court doth order that the Said Lucas Shall Satisfie the Said debt with Cost of Suit, or Else Execution. Lib. B. No. 3

Refference Granted to Rich^d Smith Attorney to m^{rs} Marsh pl^{ft} & m^{rs} Eltonhead Defend^t Marsh v. Eltonhead

The Suit Depending between m^r Richard Smith Attorney of m^{rs} Marsh pl^{ft} & m^{rs} Iane Eltonhead def^t is wth the Consent of both parties referr'd untill the next Court.

Order to m^{rs} Eltonhead Ver : Edmond Scarbrough

Whereas m^{rs} Iane Eltonhead hath Petitioned this Court for a debt due from m^r Edmond Scarbrough of one Thousand five hundred pounds of Tobacco and Caske, payable upon Demand by Bill dated the 16th of October, And whereas there hath former orders been Granted to give notice to the Said Scarborough for him to appeare in the Suit, and the Said Scarbrough not appearing neither by himself nor Attorney, The Court doth order that th^e Said m^{rs} Eltonhead be forthwith Satisfied out of the Estate of the Said Scarbrough within this Province or Else Execution p. 363
Eltonhead v. Scarbrough

The Same Court Continued the 30th of December

Dec. 30

Present { m^r Rich^d Preston m^r Iohn Lawson
 M^r Michth Brookes m^r Thom: Thomas
 m^r Iohn Hatch m^r W^m Ewens

Refference Granted inter m^r Ed: Parks pl^{ft} & Io. Ienkins Defendant Parks v. Jenkins

The Suit Depending between m^r Edward Parks plantiffe and Iohn Ienkins Defendant is referred untill the next Court.

Order to Iacob Lumbrozo ver : W^m Gillford

Lumbrozo v. Gillford

Whereas Iacob Lumbrozo arrested to this Court William Gillford for a debt of four hundred pounds of Tobacco and Caske due by Bill dated the 24th of Ian^{ry} 1656, The Court doth order that the Said Gillford Shall Satisfie the Said debt of four hundred pounds of Tobacco and Caske reserving a discount for the Said Gillford of the Said debt, or part thereof untill the next Court

Order ver : th^e Estate of m^r Thom: Hatton to Robert Macklin

Macklin v. Estate of Hatton

Whereas Robert Macklin hath Petitioned this Court for Six hundred fiftie two pounds of Tobacco and Caske due from the Estate of m^r Thomas Hatton deceased and Patrick Forrest Executor of the

Lib. B. No. 3 Said Estate acknowledging Iudgment for the Said Debt, The Court doth order that th^e Said Robert Macklin be Satisfied the Said Debt of Six hundred fifty two pounds of Tobacco and Caske out of the Estate of the Said m^r Hatton deced or Else Execution.

Berry v. Iudgment Acknowledged to W^m Berry ꝓ Io: Sewell
Sewell

John Sewell doth Confess Iudgment unto William Berry for a debt of Eight hundred and fiftie pounds of Tobacco and Caske, due from the Said Sewell to the Said Berry with Cost of Suit.

Stone v. Order Granted to Cap^t W^m Stone Ver: th^e Estate of Cap^t W^m
Estate of Lewis
Lewis

Whereas the Estate of Cap^t William Lewis deceased is indebted
p. 364 unto Cap^t William Stone the Summe of five thousand three hundred thirtie and one pounds of Tobacco as by a Deed under the Said Lewis his hand in the Records bearing date the 9th of march 1652 appeareth. The Court doth order that th^e Said debt of five Thousand three hundred thirtie and one pounds of Tobacco and Caske be Satisfied out of the Estate of the Said Lewis with Cost of Suit, Provided that the Said Cap^t Stone make oath at the next Court, that the Said debt, nor part thereof is not already Satisfied

Parker v. order to Sam: Parker ver th^e Estate of Cap^t William Lewis
Estate of Lewis
Lewis

Where as the Estate of Cap^t William Lewis is indebted unto Samuell Parker the Summe of one Thousand pounds of Tobacco and Caske as by Bill and Record in Aprill th^e 15th appeareth, The Court doth order that the Said one Thousand pounds of Tobacco and Caske be Satisfied out of the Estate of the Said Lewis with Cost of Suit or Else Execution

Lawson v. order to m^r Lawson ver: the Estate of Cap^t W^m Lewis
Estate of Lewis
Lewis

Whereas it appeareth to this Court, that th^e Estate of William Lewis is indebted unto m^r Iohn Lawson Six hundred and Eighty pounds of Tobacco & Caske and one Beaver Skinn as by Bill & Record appeareth The Court doth order that th^e Said Six hundred & Eighty pounds of Tobacco and Caske and one Beaver Skinn be Satisfied out of the Estate of the Said Lewis or Else Execution.

Re Estate of Order to m^r George Guttridge for th^e due appriz^t of Cap^t Lewis
Lewis his Estate

Whereas m^r George Guttridge Administrator of the Estate of Cap^t William Lewis deceased hath moved to this Court that no Execution Should be Granted against the Estate untill march Court next by reason he hath but lately been Commissionated as Administ^r of th^t Estate, The Court doth order that no Execution be Granted against the Said Estate untill march Court next. And that the Said

Guttridge do at the Said Court in march present a true Inventory Lib. B. No. 3
with a true Apprizement of the Said Estate of Cap^t William Lewis
deceased.

order to m^r Nicholas Gwyther & m^{rs} Marsh

Marsh v.
Gwyther

Whereas by former Iudgment at Severne m^r Nicholas Gwyther
was to Satisfie a debt unto the Estate of m^r Thomas Marsh deceased
to the Summe of five Thousand Seven hundred forty three pounds
of Tobacco and Caske, And it appearing to this Court by the oath
of m^r Henry Coursey who is the only Wittness to the Bond, upon
which the Iudgment was Grounded that there was due upon that p. 365
Bill but four Thousand four hundred Sixty four pounds of Tobacco
in Caske The Court doth therefore order that th^e Said Guither be
freed from payment of any more of th^t debt, then th^e Said Sume
of four thousand four hundred Sixty four pounds of Tobacco in
Caske, being the full debt due from the Said Guyther, unto the
Estate of the Said m^r Marsh deceased with Cost of Suit.

Whereas the difference between Tobias Norton plf^t and m^r Henry Norton v.
Hooper def^t being at the request of the plaintiff referr'd to a Iury Hooper
Viz.

m ^r Robert Tayler	m ^r Peter Sharpe
Thomas Stagwell	Robert Harwood
Edmond Hinshman	Henry Coxe
Patrick Milligan	William Turner
William Young	Patrick Forrest
Thomas Read	George Bussey

Who have returned their Verdict as followeth Viz.

We find that the Plantiffe Shall have returned the Sume of Six-
teen hundred pounds of good Tobacco in Caske to be paid in this
Rivers Tobb: with Cost of Suit

Upon which Verdict the Court doth order that th^e Said m^r Henry
Hooper Shall forthwith Satisfie the S^d Tobacco of one Thousand
Six hundred pounds of Tobacco and Cask according to the Said
Verdict or Else Execution.

Depositions ex parte Nortoni

William Howse aged 25 years or thereabouts Sworne and Ex-
amined in open Court Sayth that about two yeares agoe m^r Henry
Hooper Sold to Tobias Norton a Servant; and did affirme him to be
an able hand and as able, as Richard th^t was m^r Stockleys man;
And m^r Hooper did farther affirme that the Said Servant Could
Carry four Bushells of Salt, And farther this Deponent Sayth not

Signum
William W House

Lib. B. No. 3
p. 366

Ann Howse aged twenty and Seven years or thereabouts Sworne and Examined Saith, that when m^r Hooper being at m^r Nortons house about two years Since and there profferring m^r Norton a man Servant to Sell, telling m^r Norton that the Said Servant was an old hand and as able an hand as Richard m^r Stockleys Servant and m^r Norton replying, that if he were not an able hand, he would do the Said Norton no Good for his busieness was about fencing, m^r Hooper replied that he the Said Servant could Carry four bushells of Salt having no disease, but when he tooke could he was troubled with the Stone, for an hour or Such a time upon which Consideration the Said Norton bought the Said Servant, and paid, one hhd of Tobacco the next morning, and farther this Deponent Sayth not

Signum

Iurat Coram Iohn Pott

Ann A Howse

Whereas Roger Scott Attorney of m^r Henry Hooper arrested to this Court Tobias Norton for a debt due by Bill unto the Said m^r Hooper of four hundred and Sixteen pounds of Tobacco and Caske the Court doth order that the Said Norton Shall Satisfie the Said debt, or Else Execution.

Re Mackey Refference Granted to Rob^t Mackey

The Pett^{con} of Robert Mackey is referred untill the next Court Concerning his freedom

p. 367 Mr Henry Osborne aged 30 yeares or thereabouts Sworne and Examined, Sayth, that he this Deponent did demand of m^r Bassill Little a Servant according to his the Said Littles promise, and the S^d m^r Little made answer to this Deponent that Excepting one Servant (and nameing Robert Mackey) that I Should have any of the rest of his Servants, And I this Depō: farther asked the Said m^r Little, what he would do with the Said Mackey, the Said m^r Little made reply, that the Said Mackey had been So faithfull a Servant to him in his Sickness, that if it pleased God to lett him Live, or take him the Said Little out of this world, he would make the Said Mackey a freeman or if please God he Should live, he would make him the Said Mackey as Good as a freeman, And farther this Dep^t Saith not

Henry Osborne

Mr Peter Sharpe aged 34 yeares or thereabouts Sworne and Examined Sayeth, that he this Deponent a Small time before m^r Bassill Littles Death was upon buying of a Servant of the Said m^r Little, and this Depon^t asked the Said m^r Little if he would Sell one Rob^t Mackey the Said m^r Little made answer, that th^e Said Mackey had been a true and trusty Servant to him at Sea in his Sickness, and that th^e Said Mackey Should onely do busieness for him the Said

Little whilst he was in the Countrey and when he departed from Lib. B. No. 3
hence he would Sett him free, And farther this Depon^t Sayth not
Peter Sharpe

Whereas Timothy Guttridge arrested to this Court Alexander Guttridge v.
Watts for a debt of Seven hundred pounds of Tobacco and Caske Watts
due by bill The Court doth order that the Said Watts Shall Satisfie
the Said debt of Seven hundred pound of Tobacco and Caske with
Cost of Suit, or Else Execution.

Whereas Thomas Davis arrested to this Court a maid Servant Davis v.
Named Elizabeth fframe, which Servant the S^d Davis bought of Frame
Iohn Hawkins for three yeares, And the Said Servant alledging that
She is free, and that She will make it So appear in march Court next,
The Court doth order that the Suit be referred untill the Court in
March And that th^e Said Elizabeth do put in Securitie then to ap-
peare in this Suit, and by prooffe to make it manifest that She is free,
or Else to make Good Such Damage as the Said Davis hath Sus-
tained herein.

Robert Harwood aged 29 yeares or thereabouts Sworne and Ex-
amined Sayeth that he this Deponent being in m^r Thomas Davis his
house about November last was twelve month William Kempe did
buy Elizabeth fframe of m^r Iohn Hawkins, for m^r Thomas Davis
his use and Imployments, and that the Said m^r Hawkins upon Selling
the Said maid Servant Said unto her, Bess if you will Serve m^r p. 368
Davis the other half yeare, I will give you a Cowe yearling, and the
Said Elizabeth replied yes, And farther this Deponent Sayth not
Signum
Robert R H Harwood

Adam Stauelay aged 30 yeares or thereabouts Sworne and Ex-
amined in open Court this 29th of December 57 Sayeth that he
this Deponent Comeing from the Manadose to rapahanock with
Iohn Hawkins to Rice Iones his house, the Said m^r Hawkins had
then a man Servant, who had a year and a half to Serve, and the
Said Hawkins being willing to Exchange the Said man Servant for
a maid Servant, Elizabeth fframe Liveing in that house, and being
willing to be bought by the Said Hawkins, haveing but one year or
near upon to Serve, the Said Hawkins told the Said Elizabeth that
he would not buy her without She would make up the time which his
man had to Serve to which the Said Elizabeth agreed, and upon that
account the Said Hawkins Exchanged his man Servant for the Said
Elizabeth Frame. And the Said Hawkins Comeing up the Bay told
the Said Elizabeth that She would be free in a bad time of the
yeare, and the Said Hawkins asked her, what he Should give her,

Lib. B. No. 3 to Serve another half yeare, and the Said told her that he would give her a Cowe Calfe, She the Said Elizabeth made answer, that if he would give her a Cow Calfe presently, She would Condescend to Serve another half yeare, but this Deponent Sayth that to his knowledge, they never made any farther agreement.

Adam Staueley

Speake v. Reynolds Refference is Granted unto George Reynolds in a Suit wherein the Said Reynolds is defend^t at the Suit of Coll Thomas Speake, untill th^e next Provinciaall Court in march next.

Re Estate of Gill Order to th^e Sheriff to possess Rob^t Cole of th^e Estate of Ben: Gill
 p. 369 Whereas by order at a Provinciaall Court th^e 16th of Iune 1656 Robert Cole was thereby Impowered to be possest of the Estate of Benjamin Gill deceased then in the hands and possession of Iames Linsey. The Court doth farther order upon the Petition of the Said Cole that the Sheriffe do put the Said Cole into possession of all and reall the Estate of the Said Gill deceased, and that the S^d Linsey be Summoned at the Court in March next to give a true account of the Said Gills Estate. And that th^e Said Cole doe put in good Security to be answerable for and to give a true account of the Said Estate when he Shall be thereunto Lawfully Called.

Senserfe v. order to m^r Senserfe ver: th^e Estate
 Estate of Whereas m^r Walter Senserfe hath Exhibited a Petition against
 Billingsley major Iohn Billingsley for a debt of four Thousand five hundred and twenty pounds of Tobacco and Caske, and the Said m^r Senserf Craveing an Attachment against the Estate of the S^d Major Iohn Billingsley, The Court doth order that if the Sheriff Cannot procure the Said Billingsleys appearance at this present Court, then to attach So much of the Said Billingsley's Estate as Shall be responsible for the Said debt upon Legall Determination.

Jordan v. Iudgment acknowledged per Thō: Brandson To Thōm: Iordan mer-
 Brandson chant

Thomas Brandson hath this 30th of December 1657 acknowledged a Iudgment in open Court unto Thomas Iordan Merchant for Eight hundred pounds of Tobacco and Caske due from him the Said Brandson, and to be paid forthwith

Jordan v. Iudgm^t acknowledged to Thom Iordan merch^t p W^m Gillford
 Gillford

William Gillford this 30th of December 1657 hath acknowledg'd a Iugmment in open Court unto Thomas Iordan Merchant for three hundred and ninetie and nine pounds of Tobacco and Caske due from him the Said Gillford and to be paid forthwith

Deposit de m^r Parks

Lib. B. No. 3
Parks v.
Batchelor

William Barton Senior aged 52 years or thereabouts Sworne and Examined in open Court Sayth, that m^r Parks when he read the Exceptions in the Condition; which were Mortallitie Running away and Sickness this Deponent Sayth that the Said m^r Parks did Say that if th^e Servant did dye, runaway, or fall Sick, yett that they were agreed, the Said Parks was to have the Said Tobacco for the Servant, from Thomas Batchelor,

William Barton

Deposit inter m^r Trueman & m^r Stevenson

Trueman v.
Stevenson

The Deposition of Maurice Smith aged forty years or thereabouts being Sworne Sayeth, that he heard m^r Stevenson proffer m^r Trueman, one Thousand pounds of Tobacco, for the hyre of his Servant, the time of the Crop Notwithstanding the Servant was a new hand, and he did Expect he would be Sick, And farther Sayth to the best of his Memory that he heard m^r Stevenson Say afterwards that he had bargained with m^r Trueman for one Thousand pounds of Tobacco and three Barrells of Corne. And farther Sayth not

p. 370

Maurice Smith

The Deposition of Iohn Hyatt aged about twenty Seven yeares, Sayeth that he did hear his master m^r Trueman and m^r William Stevenson, Bargaine for the Hire of this Deponents time till the last of october and that m^r Stevenson was to give to his master one Thousand pounds of Tobacco and three Barrells of Corne, And farther Sayth not.

Iohn Hyatt

Deposit inter m^r Parks & m^r Batchelor

Parks v.
Batchelor

Richard Tarling aged twenty three years or thereab^{ts} Sworne and Examined upon his Oath Sayeth Concerning a Servant that m^r Sparks hyred to m^r Batchelor for the time of three weeks he did him Little or no worke, by reason of his nasty diseases the flux and the Scurvey, And farther this Deponent Sayth that m^r Sparks Came to m^r Batchelors house one day, and m^r Batchelor desired the Said m^r Sparks to take Some Course with him and gett him away for he had rather give him Six hundred pounds of Tobacco, then be bound to tend on him, by the reason he was So very nasty, And farther this Depon^t Sayth that it hindered most of this Deponents time and m^r Batchelors to tend on him, and farther this Depon^t Sayeth not.

Signum

Richard X Tarling

The Same Court Continued th^e 31 of December 1657

Dec. 31, 1657

Present	{	m ^r Richard Preston	M ^r Iohn Lawson
		M ^r Michael Brookes	M ^r Wood: Stockley
		M ^r Iohn Hatch	m ^r Thomas Thomas
		m ^r William Ewens	M ^r William Parratt

Lib. B. No. 3 Appeal Granted unto Cap^t W^m Mitchell plf^t & Thom: Phillips
 Mitchell v. defendant
 Phillips

Upon the hearing of the Suit between Cap^t William Mitchell plf^t and Thomas Phillips Defendant, Cap^t Mitchell hath appealed unto the Provinciaall Court in March unto which Court it is referd for a Determination

Mitchell v. The plaintiff having Exhibited his Complaint in Equity The de-
 Gerrard fendant after his answer to the plaintiffs Complaint Craveing a Ref-
 p. 371 erence in the Suit untill the next Court, A Reference is Granted in that Suit untill the Court in March next.

Lumbrozo v. Iudgment acknowledged to Iacob Lumbrozo p Cornelius Abram
 Abram

Cornelius Abram acknowledgeth a Iudgment to Iacob Lumbrozo, for a Debt due by Condition from the Said Abram unto the Said Lumbrozo of four hundred pounds of Tobacco and Caske with Cost of Suit.

Brown v. Order to Cap^t Sampson Waring Attorney of Io: Brown ver: the
 Estate of Estate of Rich^d Moore
 Moore

Whereas Cap^t Sampson Waring Attorney to m^r Iohn Brown hath petitioned to this Court for a debt of Eight hundred and ten pounds of Tobacco and Caske due to the Said Brown from the Estate of Richard Moore deceased And the Attorney of the Said Browne having proved the Iustness of the Said Debt by Bill, The Court doth order that the Said Eight hundred and tenn pounds of Tobacco be forthwith Satisfied out of the Estate or else Execution.

Johnson v. Iudgment acknowledged by Rich^d Nevett unto Cornet. Iohnson
 Nevett

Richard Nevett haveing acknowledged a Iudgment by Robert Taylor for a debt of three hundred and fiftie pounds of Tobacco and Caske due to Cornelius Iohnson The Court doth order that the Said debt be paid with Cost of Suit, or Else Execution.

Coursey v. Order ver: Cap^t W^m Mitchell
 Seamor, Re
 Mitchell

Whereas m^r Henry Coursey in a Suit wherein the Said Coursey is plaintiff, and Cap^t William Mitchell appearing as Attorney for Thomas Seamor and Ioseph Edlow in that Suit defendants moveing this Court that the Said William Mitchell is not a man to be permitted as an Attorney in any man's Cause being a man not quallified to that purpose according to Stat 3^d Iames 7. Ch: in a Clause therein Specified concerning the qualification of Attorneys, And the Said Coursey producing the Records of this Province to prove that the Said Mitchell is not to be admitted, as Attorney or Sollicitor according to
 p. 372 that Statute, The Court not willing to dismiss or Suspend the Said

Cap^t Mitchell upon that order untill a farther hearing in March Court next, but the Said Cap^t Mitchell having formerly Engaged himself by promise not to appeare in any mans Suit as Attorney but what Imediately relates to himself, The Court doth therefore Order that the Said Mitchell in respect of his promise be not admitted as an Attorney in any Suit in this Court unless the Court in march next upon farther Determinacōn thereof, do permitt and allow the Said Mitchell to be Attorney or Sollicitor in other mens Causes.

Lib. B. No. 3

Deposit inter Thom: Stagwell & Rich^d True

Stagwell v.
True

Cap^t Sampson Waring Sworne Sayth that about nine months Since, he this Deponent demanded a debt of Richard True for Thomas Stagwell, being a bill of Thomas Knoles, and the Said True acknowledged about a Hogshead of Tobacco of that Bill for to be a due debt, and promised payment of So much and when your Deponent arrested him, the Said True demanded why he was arrested, when he had promised payment. And farther your Deponent Saith not

Sampson Waring

Refference Granted inter Cap^t W^m Mitchell plf^t & Thom: Inniss def^t

Mitchell v.
Inniss

Refference is Granted with the Consent of both parties in a Suit between Cap^t William Mitchell plaintiff and Thomas Innis defendant, till the next Generall Provinciaall Court in march next.

Satisfied by m^r Luke Gardiner for an Order of Court for freeing a maid for Daniell Goulson's use unto the Sheriff Iames Veitch.

Goulson v.
Gardiner

Nosuit to Rich^d True

Stagwell v.
True

Nonsuit is Granted unto Richard True in the Suit of Thomas Stagwell with Cost of Suit.

Iudgment is Granted against Thomas Seamer in the behalf of David Farrera for a debt of one Thousand Seventy five pounds of Tobacco and Caske. And upon non-payment of the Said Debt Execution to be Granted, with Cost of Suit.

Farrera v.
Seamer

Whereas it appeareth to this Court that m^r Henry Coursey is indebted unto Thomas Seamer the Summe of one Thousand one hundred and thirtie pounds of Tobacco and Caske. The Court doth order that the Said debt of one Thousand one hundred and thirty pounds of Tobacco and Caske be Satisfied with Cost of Suit, or Else Execution

Seamer v.
Coursey

A Refference is Granted in all other Actions depending between m^r Henry Coursey and Thomas Seamer untill the next Court in March next.

p. 373

Lib. B. No. 3 Whereas it appeareth to this Court that Edmond Linsey Standeth
 Empson v. indebted unto William Empson in the Summe of three hundred Sixty
 Linsey five pounds of Tobacco and Caske due by Bill, the Court doth order
 that the Said Linsey do Satisfie the Said debt of three hundred Sixty
 five pounds of Tobacco and Cask with Cost of Suit, or Else Exe-
 cution.

Re Estate of Quietus to m^{rs} ffenwicke
 Tongue Quietus Est is Granted unto m^{rs} Iane ffenwick Administratrix
 of the Estate of ffriendship Thoungue.

Price and Whereas Patrick fforrest Attorney of Cap^t Iohn Price and Wil-
 Huse. v. liam Huse hath Petitioned this Court for a debt of one Thousand
 Estate of one hundred twenty eight pounds of Tobacco and Caske, due to the
 Dandy Said Price, and four hundred fiftie five pounds of Tobacco and
 Caske due to William Huse, and three hundred 20 nine pounds of
 Tobacco and Caske due to the Estate of m^r Thomas Hatton deceased
 amounting in all to the Summe of one Thousand nine hundred and
 twelve pounds of Tobacco and Caske being due by Specialties from
 the Estate of Iohn Dandy deceased The Court doth order that the
 Said Debts be forthwith Satisfied, out of the Estate of the Said
 Iohn Dandy deced or Else Execution

Turner v. Whereas it appeareth to this Court that Iohn Sewell is Indebted
 Sewell unto William Turner in the Summe of three hundred pounds of
 Tobacco and Cask, and the Said Sewell haveing acknowledged
 Iudgm^t for the Same, The Court doth order that the Said Sewell
 Shall Satisfie the Said debt of three hundred pounds of Tobacco
 and Caske, or Else Execution

1657/8
 Jan. 1

The Same Court Continued the first of Ianuary 1657

Present	M ^r Rich ^d Preston.	m ^r Wood : Stockley
	M ^r Mich : Brookes.	m ^r W ^m Parratt
	M ^r Iohn Lawson	m ^r Thom ⁿ : Thomas
	m ^r W ^m Evens	

Farrera v. Whereas Iames Iolly by former Iudgment of this Court dated the
 Jolly 13th of Ianuary 1656 was to pay unto David ffarera the Summe of
 p. 374 one Thousand five hundred and twenty pounds of Tobacco and
 Caske. And Whereas the Said ffarera in respect of the Said Iollies
 [vide 10 Inabilitie for the payment of the Said, Summe according to the Said
 Archives Order, did forbear the Said Iolly, wth Engagement to pay the Said
 476] debt this Crop, of which the Said Iolly, having failed in the whole
 or part thereof, and the Said ffarera relinquishing the Said Engage-
 ment, and desireing the benefitt of his former order for that debt,

The Court doth order that the Said ffarera have Execution if he Lib. B. No. 3
desire it, against the Estate of the Said Iolly for the Satisfying of
the Said debt, according to order of Court as aforesaid

Order to Ann Maddookes the relict of Iohn Dandy

Re Estate of
Dandy

Whereas by former order of this Court upon the first of october
1657 Ann Dandy the wife of Iohn Dandy was to put in Security to
be respōsible for the Estate of the Said Dandy deceased, by the
time in th^t order Specified. And m^r Rice Maddookes who Married
the relict of the Said Dandy appearing at this Court and desireing
respite untill march Court next to make Good the Said former order,
This Court doth farther order that if he Said Maddookes, Shall
Satisfie Such debts or Compound with Such Creditors, as have Iust
Claime by order unto the Said Estate, and Shall at the Said Court
in march next, put in Securitie according to former Order, then the
Said Maddookes & his wife to be possest of the Said Estate, accord-
ing to former order in that Case provided, And it is farther Ordered
that in the meane time, the Said m^r Maddookes & his wife Shall at
the Said Court in March next, give a true acco^t to the best of their
knowledge upon oath of all, & reall the Estate, that the Said Iohn
Dandy dyed possest of

order to m^h Wilkinnsion for the Orphans of Pritchard

Re Estate of
Pritchard

Whereas m^r William Wilkinson hath Petitioned to this Court in
the behalf and for the maintenance of an Orphan now under his
Charge of Iohn Pritchards deceased, which Child as it appeareth,
the Said Pritchard a Little before his death brought to, and Left p. 375
with the Said Wilkinson, And hath by the Said Wilkinson been kept
this nine months. The Court doth order that Paul Sympson, Ad-
minist^r of the Said Pritchards Estate, Shall deliver unto the Said
m^r William Wilkinson upon oath before m^r Iohn Lawson, all the
remainder of the Said Pritchards Estate for the use of the Said
Child, and for the Satisfying of the Said m^r Wilkinson as he the Said
Simpson hath in his hands, or knowes of, over and above what hath
Satisfied the Said Simpson, Such debts, as the Said Pritchard was
indebted unto him, And the Said m^r Wilkinson is hereby Impowered
to Enquire after and to take into his hands, all what is properly
belonging to the Estate of the Said Pritchard within this Province

order for Execut to m^r Preston contra Clawson

Preston v.
Clawson

Whereas attachment was Granted unto m^r Richard Preston
against the Estate of William Clawson for a debt of three hundred
Eighty three pounds of Tobacco and Caske, and Six pounds of
beaver and two beaver Skinnes, and the S^d m^r Richard Preston
Suing to this Court for order to have Execution upon the Goods

Lib. B. No. 3 attacht for the Satisfying of that debt, and it appearing to this Court by Bill and account, that the Said Clawson is indebted unto the Said m^r Richard Preston, in the aforesaid Summe of Tobacco and beaver, And that the Said Clawson is non-resident in this Province. The Court doth therefore order that the Goods So Attachmt Shall be Valued & apprazed for the Satisfying of the Said m^r Richard Preston the Said Debt of Tobacco and beaver.

Gary v. Moore Order to S: Gary ag^t the Estate of Moore

Whereas Stephen Gary hath Petitioned to this Court for a debt of one hundred and fiftie pound of Tobacco and Caske due by Specialty out of the Estate of Richard Moore deceased unto the Said Gary for transportation The Court doth order that the Said one hundred and fiftie pounds of Tobacco and Caske be forthwith Satisfied out of the Estate of the Said Moore deceased or else Execucōn

Proprietary v. Palldin order Contra Palldin

p. 376 Whereas Iane Palldin Servant to William Dorrington hath been brought before this Court, for having a Bastard Child, the truth of which is manifest, and the Said Palldin having taken her oath in Court, as formerly upon her Examination at a Court held the 25 of July 1657, that the Said Child is Iohn Nortons, and as by many Circumstances by Severall Depositions farther appeareth, The Court doth therefore order that the Said Iane Palldin Shall receive for this fact, Thirty Lashes upon the bare back with a whip, And that the Said Norton do put in Security both for the keeping and bringing up of the S^d Child and for his Good behaviour with Cost of Suit. And m^r Dorrington So to Provid and do his Endeavour that the Said Iane Palldin be not admitted to accompany with the Said Norton.

Deposit de Iane Palldin

William Dorrington Sworne and Examined Sayeth that the time when this Deponent brought Iane Palldin to make her Confession in Court, the S^d Iane being unwilling to go home without this Deponent. This Deponent went home with her the Said Palldin. And the Said Palldin when She Came home, went into a Little room, where they were wont to Scalld their Vessells, and Goodman Norton went out of the house, after this Deponent Came in and after the Said Norton had been out a Small time Came in againe and Said to his wife Elizabeth (with his knife drawne) Gods wounds you whore, if it had not been for you, this would never have Came out, And ran up to his wife with a pretence to Stab her; And I this Deponent Stopped him, and asked of him (after Some few words had passed) whether he were minded to go to the Devill. The Said Norton made answer, Gods wounds I Care not, At Severall other times this

Deponent Sayth that he hath heard the Said Norton Say, that his wife did go about to take away his Life. And farther this Deponent Saith not. Lib. B. No. 3

Signum
William W Dorrington

Deposit de Iane Palldin

Griffin George Sworne Sayth that he this Deponent was a Liver in Iohn Nortons house, And much about the time that Iane Palldin quickned Elizabeth Norton told me this Deponent that She was undone, I this Depon^t demanded of her how She was undone, She the Said Elizabeth answered, this damned Iade is with Child, I this Deponent replied; that if She and her husband were Innocent in it they need not to take Care; Elizabeth Norton farther Said to me this Deponent, Man, I am undone, And proceeding into farther discourse about the busieness the Said Elizabeth Said, Suppose She Should lay it to you, if She doeth Said I this Deponent, to God and her own Conscience be it, but I hope God will give her more Grace, and that She will lay it to the Right father. within a Small time after I this Deponent after they had done milking, Came to the Said Palldin when She was washing her milk Vessells, and Demanded of her which way She went to work to gett this Child, She answered the old man that gott it Sayeth, I Shall not Suffer in it, for he will beare me harmless, on another time, the S^d Palldin told me this Deponent (in answer to Some questions which I asked of her) that She never lay with any man but Goodman Norton, and that he knoweth well Enough, on another time this Deponent went over to William Brammalles, and the S^d Brammall did begin to discourse about murther; and Said to me this Deponent, that for ought he the S^d Brammall did know, I mought be accessary to murther. I this Deponent made answer, that there was a Cursed Living where I was but for my part I Said I wou'd Endeavour to make all things as quiett as I could, Truely Sayth the Said Brammall if I hear the like busieness againe, which the old woman Goodwife Norton hath related, I will goe to m^r Preston and make him acquainted with it, for as for any thing I know the old woman goeth in danger of her Life, and that it was very necessary they Should be parted, At another time William Dorrington was at Iohn Norton's house, and being discourseing of her and Norton, the Said Dorrington Said unto his maid Iane, have a Care and wrong no man, the Said Iane replied God wrong me if I wrong him, ffarther this Deponent Sayth that after the Said Palldin had made her Confession in Court m^r Dorrington brought her home, and Iohn Norton's wife began to raile at her, and the Said Palldin went away to the old house, where Iohn Norton was at beating and Iohn Norton Came running in where m^r Dorrington and I this Deponent, and bess Norton were, and drew his knife, and Called his

Lib. B. No. 3 wife Damned whore, and Sayed I thought you were my Bosom friend, and have you betrayed me? Gods wounds I will run my knife through you. And had it not been for m^r Dorrington, and me this Deponent, I know not what he mought have done to her At another time this Deponent Sayeth, that there was a bitter falling out in the house, and that the wench Palldin had a knife in her hand, and Struck at Goodman Norton, and Sayed, now you have undon me, I cannot be quiett for you, The Said Iohn Norton went to take the knife out of her hand, and therewith Cutt his own hand. And farther this Deponent Saith not.

Signum

Griffin M George

Mary Hebborne Sworne and Examined in open Court Sayeth, that Iane Palldin, about the time She was first known to be with Child, Came to her Mistress m^{rs} Dorrington's house, and Satt down, and m^{rs} Dorrington asked her how She did, the Said Palldin desired her mistriss to be Contented, and Said She would Endeavo^r to do her own work. Then m^{rs} Dorrington asked her the S^d Palldin who was the father of the Child, the Said Iane answered She did not know, m^{rs} Dorrington asked her whether She was So Impudent a whore that She did not know the father of it, She the Said Palldin farther replied and Sayed, if you will believe me, and that I were to be wracked to death, I know not the father of it, The Said Palldin being farther urged by one Iohn Buckstone to tell who was the ffather, of the Child She the Said Palldin Said, that upon one Sabboth day in the morning, a Strange man Came in to Iohn Norton's house to pipe it, and he gott her with Child. This De-
p. 379 ponent Standing by made answer this Cannot be that you would lye with a Stranger, and desired her the Said Iane to tell the truth, whereupon the Said Palldin Sayed that if She Should tell the truth, She had better never goe home, m^{rs} Dorrington replied and asked her, whom She Should be afraid of, and bid her Speake the truth and wrong no man, She the Said Palldin then made reply that it was Iohn Nortons Child, and nobodies but his and that She never did know any ones body Since She Came into the Countrey but only his, Thereupon m^{rs} Dorrington Said Come Iane, let us go to the Court, and deliver your Self there, and brought her down to the Court, ffurther this Deponent Sayth that on a Certaine time, when the Said Palldin was first quick, the Said Palldin took an Occasion to tell this Deponent, that She heard that I the Said Deponent was to be Sold to Goodman Goulson, and farther Sayed that there were two Batchellors would have freed her the Said Palldin, but Iohn Norton loved her So Dearly, that he would not part with her; and for any man that Should buy her the Said Palldin before her time were Expired, that the Said Norton would be the death of him, and that the Said Norton did Say, that perchance before the Said Palldin's time were Expired his wife mought dye; and that he the

S^d Norton loved her the Said Palldin very well, This Deponent made Lib. B. No. 3
 the Said Palldin Answer, and asked her how She Could find in her
 heart to love him, She the Said Palldin answered Oh! Mary he
 loveth me Dearly, and Sayd She was Confident he would have her
 if his wife were dead and at the Same time She the Said Palldin was
 quick with Child (but this Deponent did not know it) and would
 have taken Physick, ffarther this Deponent Sayeth that Iohn Norton,
 hath given to her this Deponent the Same relation, and hath declared p. 380
 that he did Love her wonderfully and that She was an Extrordinary
 Good housewife, and that he would have her before any woman in
 the Countrey, for he loved her as Dearly as his Life, but desired me
 this deponent that I would not reveale it, farther this Deponent
 Saith that Goodwife Norton, would have had the Said Palldin, to
 have Laid the Child to one George Hardestie and Iane made Answer
 and wished that She mought never be delivered, if Bess Norton
 would not have had her father'd on him, but the Said Iane would
 not, farther this Deponent Sayeth that She this Deponent taxeing
 Iane Palldin why She did wrong this Deponents m^{rs} and Said that
 m^{rs} Dorrington had perswaded her to father the Child upon Iohn
 Norton, the Said Palldin made Answer, that She forced by Norton's
 wife to Speake what She did to Live at quiett, and Desired m^{rs}
 Dorrington to be Contented. And farther this Deponent Sayth not

Signum

Mary H Hebborne

Peter Underwood aged twenty and one yeares or thereabouts
 Sworne and Examined, Sayeth that he this Deponent went up to
 the house of Iohn Norton about October last to marke Cattle, and not
 having a rope went to borrow one, and that he this Depon^t Comeing
 out of the house did miss his handkerchief from his neck and went
 thereupon back again to the Said Nortons house, and at his Comeing
 in did See Iane Palldin, and the Said Norton Sitting upon two
 Stooles together by the fire Side, and the Said Norton Satt with his
 hand in the Slitt of the Said Palldin's Coate before, and as I this
 Deponent passed by the Said Norton did draw back his Stoole a Little
 way from the Said Palldin and blusht. And farther this Deponent
 Saith not

Peter Underwood

Thomas Turner Sworne and Examined in open Court Sayth, that p. 381
 he this Deponent was Sent by his master William Dorrington up
 to Iohn Norton's house to marke Cattle, and this Deponent de-
 manded of the Said Norton, where he intended to live the next yeare
 the Said Norton answered that he intended to live where he was,
 farther this deponent demanded of the Said Norton what he would
 do with Iane Palldin, being She was with Child, he the Said Norton
 Said, that if he Should leave as for what was betwixt him and the

Lib. B. No. 3 wench he must Suffer the Law, and farther Said that he knew the most they Could do it was but a fine, and that was all they Could do, and that he hoped it would not undo him The maid Iane Palldin made answer to the S^d Norton and bid him he Should not feare, for he Should not be undone by her. And farther this Deponent Saith not

Signum

Thomas X Turner

Edmond Hinshman Sworne and Examined Sayeth that when m^r Preston Sent his Warrant for the fetching down of Iane Palldin, this Deponent went with the Constable, And Andrew Willcox to Iohn Nortons house, and after we were Come to the house according to Order, the Constable demanded Iane Palldin, Iohn Norton Answered She Should not go; also the S^d Palldin resisted the Constable, whereupon, the Constable demanded and required Iohn Norton and me this Deponent to be assistant, the Said Norton refused to aid or assist him, Thereupon Iane Palldin gott a knife in her hand, and Swore Several bitter Oathes, She would Stab the Constable, and me this Deponent, And did Sweare likewise that She would Stab Andrew Willcox Notwithstanding the Good Language the Said Andrew gave her, and did through a desperate kind of Iron at him the Said Willcox And farther this Deponent Saith not

Edmond Hinchman

Mitchell v. Gerrard
p. 382 Mr Luke Barber Sworne Sayth that he this Depon^t Comeing to m^r Gerrard after Cap^t Mitchells arrivall into these parts, and telling the Said Gerrard that the Said Mitchell was arrived m^r Gerrard desired me this Deponent, to remember him to Cap^t Mitchell, and tell him his Cowes were ready or words to that purpose, to the best of this Deponents remembrance, And farther this Deponent Saith not.

L. Barber

Deposit Edmond Phillpott

Edmond Phillpott aged about Sixty yeares Deposeth and Saith that about the end of April 1652 Cap^t William Mitchell Sold this Deponent to m^r Thomas Gerrard, and this Deponent had to Serve Cap^t Mitchell two yeares and almost two monthes, and it was agreed that m^r Gerrard Should pay upon that agreement unto Cap^t William Mitchell four Cowes or heifers with Calfe or Calves by their Sides, to be delivered upon demand after the Said Cap^t Mitchells returne from England, and in Case the Said Cap^t Mitchell did not returne the next yeare following, one Cow was to be delivered for the use of the Said Mitchells his Children and the other three Cowes or heifers at his returne, And farther this Deponent Saith that in Case the Said Cap^t Mitchell did returne before this Deponents time was Expired, then he this Deponent was to be returned to the Said Cap^t

Mitchell, and the Said Gerrard was to pay unto this Deponent Lib. B. No. 3
twenty pound Sterling or the Value thereof in other Commodities,
if the Said Gerrard was this Deponents last master, And this De-
ponent Saith that the Said Gerrard gave the Said Deponent a
Specialty for the Said twenty pounds Sterling within a few dayes
after the Said agreement; in Case the Said Gerrard Should be his
this Deponents last master, But in Case the Said Mitchell was this
Deponents last master then the S^d Cap^t Mitchell was to pay the
Wages, farther this Deponent Saith not. E P

The Deposition of m^r Henry Coursey aged 29 yeares or there- Marsh v.
abouts Sworne and Examined in open Court Saith. Gwyther

That Cap^t Nicholas Gwyther did Enter into bond unto m^r Thomas Marsh late of Severne deceased, for five thousand Seven hundred p. 383
forty and three pounds of Tobacco and Caske, upon which he did
acknowledge a Iudgment, which Said Bond was past Collusively to
Save the Cattle of the Said Guyther, which he the Said Guither was
afraid would have been taken from him, for a fine, he then being
prisoner at Seaverne, And farther this Deponent Saith that the
debt due to the Said Marsh being no more then four thousand four
hundred Sixty & four pounds of Tobacco and Caske, this Deponent
being his then Attorney for the receipt thereof. And farther this
Deponent Sayth not Henry Coursey

de Edward Hostkeys

Re Hostkeys

M^r Thomas Trueman aged twenty nine yeares or thereabout
Sworne Sayeth that he this Deponent did make an Indenture betwixt
Edward Hostkeys and Cap^t Iosias ffendall and farther this Deponent
Saith that the Said Edward Hostkeys, was demanded by Cap^t
ffendall, whether he the Said Hostkeys had rather live with Coll
Smith or with him the Said ffendall, the Said Hostkeys made answer
that he had rather live with Cap^t ffendall, farther this dep^t Sayth
that the Said Hostkeys did Covenant and agree in the Said Indenture
to Serve the Said ffendall three yeares in all manner of Employments
according to the Custome of the Countrey, only beating at the Mortar
Excepted And farther this Depon^t sayth not

Thomas Trueman

Deposit inter Aron et Tobias Norton

Norton v.
Jacobson
p. 384

Richard Garill aged 50 yeares or thereabouts Sworne and Ex-
amined in open Court Sayth, that he this Deponent was present when
John Little and Tobias Norton were making up their accounts with
Aron Iacobson and his Copartner, Albert Iohnson, And farther this
Deponent Sayeth that the Said Aron Iacobson and Albert Iohnson
did perfect and make Even all their accounts with the Said John
Little and Tobias Norton, all but two hundred and fifty pounds of

Lib. B. No. 3 flower, and that the two Dutchmen remained So much in the Said
John Littles and Tobias Norton's debt, after their accounts were all
perfected, And farther this Deponent Sayth not

Signum
Iohn X Garrill

Sepharin Hach Sworne and Examined in open Court Sayth that
he this Deponent heard Allbert Iohnson Say that he the Said
Iohnson was to bring in two hund^d and fiftie pounds of flower, from
the Manadose for Iohn Little and farther this Deponent Saith not
Sepherin Hach

Proprietary
v. Robins

We whose Names are underwritten according to our oathes
taken by m^r Lawson, and by an order of the last Court to
Search the body of Elizabeth Robins do return our opinions
and Answer

The Iury of women upon Elizabeth Robins

We found the Said Elizabeth in a very Sad Condition and in a
Condition not like to other women, & Confessed that She had twice
taken Savin; once boyled in milk and the other time Strayned
through a Cloath, and at the taking thereof not Supposing her self
with Child as She Sayeth, takeing it for wormes not knowing the
Vertue thereof any other wayes, farther Confessed that She Sup-
poseth her Self to have a dead Child within her, and if a Child, that
the true begetter of it was her husband Robert Robins.

Signum	Signum
Margaret M Banks	Mary X Wright
Signum	Signum
Darcos D Lawson	Ann A Smith
Barbara Iohnson	Signum
	Iane X Robinson

Hopkins
v. Basey

Thō: Sheriden Depō: De Rob^t Hopkins Et Michael Basey
Thomas Sherriden aged forty yeares or thereabouts Sworne and
Examined Sayeth that about the last Spring this Deponent lost a
p. 385 parcell of hogs, and those Said hogs were wont to keep about Robert
Hopkins and his Brother's Ground, farther this Deponent Sayeth,
that he Enquired of the Said Brothers for the Said hogs, who made
answer they had lost theirs also, farther this Deponent demanded of
them, if they did know which way the Said hogs went, and the two
brothers replied that, they had Some bad neighbours, and that they
Could not keep any thing for them, And the Brothers farther Said,
that they thought mine were gone the Same way that theirs were,
farther this Deponent demanded of the Said Brothers, what neigh-
bours they were, that were so bad, they replied it was Michael Basey,
This Deponent demanded farther if they Could prove it, they an-

swered that Henry Bullens wife Should Say, that She was in Michael Lib. B. No. 3
 Basey's house, one night late, when Michael Basey brought in a hog
 without Eares, And Robert Hopkins farther told this Deponent that
 the said Bullens wife did Say; that Michael Basey did Say to his
 wife (Seeing a Stranger in the house) when he Came in with the
 hog, O! wife I have left the hogs Eares in the Indian Cabinn, and
 forgott them, And farther this Dep^t Sayeth that Robert Hopkins
 did tell him this Depon^t that Henry Bullen's wife did say, that She
 heard Michael Basey farther Say to his wife that the Sow was very
 poor, and that he thought She was with pig In Answer to this Dis-
 course of the Brothers this Depon^t made reply, that if this were all
 the prooffe that they had that he this Deponent would put it upp,
 But the brothers answered they would not, but would Sue the Said
 Michael Basey, farther this Depon^t Coming upon another day to the
 house of the two Brothers, to look after his Said hogs, did find one
 hog dead, Lying upon the Rising of the Said Brothers Ground, all
 Eaten but the feet and a piece of the head, but both Eares were
 gone, This Depon^t told the brothers of it, and one of them made
 answ^r he would go to See the hog; and when we Came to the hog we
 turned it. And the Said Hopkins made Answer, that he did think in
 his Conscience that it was his hog.

Signum p. 386

Thomas X Sherriden

Order to Aron Iacobson

Jacobson
v. Johnson

Where as Aaron Iacobson hath Petitioned this Court to be Im-
 powered for the receiving of all Iust debts to Allbert Iohnson within
 this Province, The S^d Iacobson having been (as he alledgeth) Co-
 partner with the Said Iohnson, and Equally interested in the Said
 debts, and farther alledging that he the Said Iacobson did Send along
 with the Said Iohnson a Considerable Summe of Tobacco for the
 Mannadose, for the which Summe of Tobacco, the Said Iohnson hath
 as yet failed to send in any returne or account thereof unto him the
 Said Iacobson, and the Said Iacobson pleading himself much damni-
 fied thereby The Court finding the Said Iacobson neerlest interested
 in the Said debts, doth order that the Said Iacobson be Impowered
 to receive all Iust debts whatsoever within this Province belonging
 unto the Sd Iohnson he the Said Iacobson putting in Security to be
 accountable for the Same to the Said Iohnson or his Assigns when-
 soever he shall (by either of them) be Legally thereunto Called.

These presents Wittness that Whereas Edmond Phillpott is by Mitchell v.
 Assignment to Serve me Thomas Gerrard of St Clements Esq for Gerrard
 the time he was to Serve Capt William Mitchell. In Case the Said p. 387
 Capt Mitchell do not before return from England, and remand him
 And in Consideration whereof I the Said Thomas Gerrard am to pay
 unto the Said Edmond Phillpott twenty pounds Sterling, or the

Lib. B. No. 3 Value thereof in the Commodities of this Countrey, But in Case the Said Edmond Phillpott be remanded before the S^d Terme be Expired, by the Said Cap^t Mitchell, that then the Said Cap^t Mitchell is to Satisfie the Said Edmond Phillpott, according to the Condition of this Indenture, And the Said Thomas Gerrard is to be discharged from the payment of the Said Twenty pound Sterling, any thing Contained in These presents, Notwithstanding. In Testimony
p. 388 whereof we have Sett our hands this 27th of may 1652

Teste Roger Isham

Thomas Gerrard

Thomas Hawkin

Will Mitchell

Concordat Cum Orriginali teste me Tho: Turner C^lk

1657/8 Owen Iames hath this day (being the 26^t of Ianuary 1657) Entred
Jan. 26 a Caveat for Administration upon the Estate of Paul Simpson
Estate of Simpson deceased.

Stone v. These may Testify I Thomas Stone do acquitt release and free
Barbarah Soliman Barbarah from all Service and Engagements due from
Feb. 11, 1657 him to Cap^t William Stone (Excepting the Clause of the Leaving
Recorded for Sollamon Barbarah him half his Estate at his Death, which according to former Con-
dition Standeth in force) upon the payment of four Thousand
pounds of Tobacco, for which I am Content to take, a man Servant
at Eighteen hundred and his Bill for one Thousand to be paid upon
demand, and the other twelve hund^d to be paid the next yeare as
Wittness my hand this 13th of November 1657

Thomas Stone

Witness. Sam: H Bōnam

1657/8 At a Court Held at Putuxent the 30th of Ianuary 1657
Jan. 30

Present { m^r Richard Preston m^r Iohn Hatch
m^r Mich: Brooke m^r William Parratt
m^r W^m Euens.

Sharpe v. Morris Whereas m^r Peter Sharpe Chirurgeon hath Exhibited an Account
to this Court for Physick and attendance, Expended and Admin-
istred unto Bassill Little Merchant in the time of his Sickness, as
by the Said m^r Sharpes accompt appeareth, to the Sume of two
thousand one hundred and ninety pounds of Tobacco and Caske, and
Cap^t Rob^t Morris and m^r Henry Meese Executors of the Estate of
the Said Bassill Little deceased desireing the Iudgm^t of the Court
upon the Said Accompt, The Court doth therefore order that the
p. 389 Said Cap^t Morris and m^r Meese Shall Satisfie unto the Said m^r Peter
Sharpe out of the Estate of the Said m^r Bassill Little deceased the
Sume of one Thousand five hundred pounds of Tob^o and Caske, in
full Satisfaction of the aforesaid account of two Thousand one
hundred and ninety pounds of Tobacco

Whereas m^r William Dorrington hath Petitioned to this Court for Charges Expended in the time of the Sickness of Bassill Little merchant deceased viz. for his funerall Charges three thousand, for the diett of three Servants nine weekes per piece, two Thousand Seven hundred, for m^r Sledd's accommodation dyett & Storadge two Thousand, In all amounting to Seven thousand Seven hundred, which accompt being Examined by the Court, The Court doth order that Seven thousand pounds of Tobacco and Caske be paid unto the Said m^r William Dorrington, out of the Estate of the Said m^r Bassill Little deceased, in full Satisfaction of the aforesaid accompt of Seven Thousand Seven hundred pounds of Tobacco and Caske.

Lib. B. No. 3
Dorrington
v. Morris

Order to m^r Richard Smith

Re Lee

Whereas m^r Richard Smith hath presented before this Court a woman Servant of m^r Bassill Little deceased named Elizabeth Lee (bought of m^r Henry Meese Merchant Executor to the Said Estate) Coming in without Indenture, to Iudge according to Act of Assembly her age, The Court doth Iudge the Said Servant not to be of the age of Sixteen yeares, and to Serve according as the Law in that Case hath Provided.

Whereas it appeareth to this Court that Iohn Sutton Standeth Indebted unto the Estate of m^r Bassill Little deceased, the Sum of five hundred and fifty pounds of Tobacco and Caske, as by Bill dated the fifth of march last appeareth, The Court doth order that the Said Iohn Sutton Shall Satisfie the Said debt of five hundred and fifty pounds of Tobacco and Caske wth Cost of Suit, or Else Execution

Morris v.
Sutton

Whereas Christopher Cary hath Petitioned this Court for a debt of two Thousand pounds of Tobacco and Caske being due by Condition, from Thomas Letchworth to the Said Cary for a Servant bought by the Said Letchworth of the Said Cary. And the Said Letchworth being bound, Covenant to deliver back the Said Servant, as also to pay one Hogshead of Tōb: upon default of payment for the Said Servant (upon demand) The Court doth therefore order that th^e Said Servant Redelivered to the Said Cary according to Condition with one Hogshead of Good and bright Tobacco forthwith to be Satisfied otherwise Execution to pass against the Estate of the Said Letchworth.

Cary v.
Letchworth

p. 390

Whereas it appeareth to this Court that Henry Cox Standeth indebted to the Estate of m^r Bassill Little deceased in the Sum of one Thousand one hundred Eighty two pounds of Tobacco and Caske as by two Severall Specialties appeareth, The Court doth order that the Said Cox do forthwith Satisfie the Said one Thousand one hun-

Morris v.
Cox

Lib. B. No. 3 dred Eighty two pounds of Tobacco and Caske with Court Charges
or Else Execution.

Bonam v. Whereas it appeareth to this Court that William Lawrell is in-
Lawrell debted unto Iohn Bonam in the Summe of four hundred forty five
pounds of Tobacco & Caske as by Specialty appeareth, The Court
doth order that the Said four hundred forty five pounds of Tobacco
and Caske be forthwith Satisfied by the Said Lawrell to the Said
Bonam with Court Charges, or Else Execution

Morris v. Whereas it appeareth to this Court that George Bussey Standeth
Bussey indebted to the Estate of m^r Bassill Little deceased the Summe of two
Thousand Six hundred Eighty three pounds of Tobacco and Caske,
The Court doth order that the Said George Bussey shall forthwith
p. 391 Satisfie the Said Two Thousand Six hundred Eighty three pounds
of Tobacco and Caske with Court Charges or else Execution.

Morris v. Whereas it appeareth to this Court th^t m^r Iohn Pott Standeth
Pott Indebted to the Estate of m^r Bassill Little Deceased in the Summe of
four hundred pounds of Tobacco and Caske, being due by a Specialty
assigned over to the Said m^r Little by Thomas Seamor, The Court
doth order that the Said m^r Potts, Shall forthwith Satisfie the Said
debt of four hundred pounds of Tobacco and Caske with Cost of
Suit, or Else Execution.

Meese v. Whereas Henry Meese merch^t hath Petitioned this Court for a
Harwood debt of one Thousand one hundred & Eleven pounds of Tobacco and
Caske due to him the S^d Meese for Goods Sold and Delivered to
Phillip Harwood, And the Said Harwood Confessing the debt, The
Court doth order that the Said Phillip Harwood, Shall forthwith
Satisfie the Said one Thousand one hundred and Eleven pounds of
Tobacco and Caske unto the Said m^r Henry Meese with Cost of
Suit or Else Execution

Osborne v. Iudgment is Granted unto m^r Henry Osborne, against the Estate
Morris of Bassill Little merchant deceased for a debt of one Thousand and
tenn pounds of Tobacco and Caske being due to the Said Osborne by
accompte, to the truth of which accompt the Said Osborne hath been
deposed in open Court.

Morris v. Iudgment is Granted unto m^r Robert Morris and m^r Henry Meese
Keene Executors to m^r Bassill Little deceased against Edward Keene for a
debt of two thousand Seven hundred Eighty and Seven pounds of
Tobacco and Caske being due from the Said Keene to the Estate of
the Said m^r Bassill Little deceased with Cost of Suit.

Whereas it appeareth to this Court that m^r Henry Hooper is indebted unto the Estate of m^r Bassill Little Deceased, the Summe of three hundred thirty nine pounds of Tobacco and Caske, The Court doth order that the Said m^r Hooper do forthwith Satisfie the Said three hundred thirty and nine pounds of Tobacco and Caske with Cost of Suit or Else Execution.

Lib. B. No. 3
Morris v.
Hooper

Whereas Ishmaell Wright Standeth Indebted to the Estate of Bassill Little merch^t in the Summe of twelve hundred pounds of Tobacco and Caske as appeareth to this Court being due by bill and accompt The Court doth order that the Said Ishmaell Wright do forthwith Satisfie the Said debt of twelve hundred pounds of Tobacco and Caske, with Cost of Suit, or Else Execution.

Morris v.
Wright

Whereas Cap^t Robert Morris and m^r Henry Meese Executors to the Estate of m^r Bassill Little deceased, have Petitioned this Court against Iohn Reede for nine hundred thirty two pounds of Tobacco & Caske due by Bill, and it appearing to this Court, by a Receipt under the hand of m^r Richard Harris deceased that there was paid by the Said Iohn Reede, unto the Said Harris for the use of the Said m^r Little the Summe of Eight hundred pounds of Tobacco and Caske in part of the Said debt of nine hundred thirty and two pounds of Tobacco and Caske, The Court doth order that the Said Reede, be discharged of the payment of the Said Eight hundred pounds of Tobacco and Caske, and that he pay the remainder being one hundred thirty two pounds of Tobacco and Caske with Cost of Suit or Else Execution.

Morris v.
Reede

p. 392

Whereas it appeareth to this Court that Iohn Bagbey Standeth indebted unto the Estate of m^r Bassill Little deceased the Summe of four hundred fifty and Six pounds of Tobacco and Caske as by Bill appeareth, The Court doth order that the Said Iohn Bagbey do Satisfie the Said debt with Cost of Suit, or else Execution

Morris v.
Bagbey

Whereas it appeareth to this Court that William Turner Standeth indebted unto the Estate of m^r Bassill Little deceased in the Sume of two Thousand two hundred Sixty and five pounds of Tobacco and Caske due by two Bills, The Court doth therefore order that the Said William Turner Shall Satisfie the Said debt of two thousand two hundred Sixty and five pounds of Tobacco and Caske, or Else Execution, with Cost of Suit

Morris v.
Turner

Whereas Cap^t Robert Morris, and m^r Henry Meese Executors to the Estate of m^r Bassill Little deceased have Petitioned to this Court against Robert Tayler for a debt of Seven hundred pounds of Tobacco and Caske due by Bill, And it appearing to this Court by

Morris v.
Taylor

Lib. B. No. 3 Receipts under the hand of m^r Richard Harris Attorney of the Said m^r Little, that there is due from the Said Robert Tayler upon that bill, but fifty five pounds of Tobacco: The rest being received by the Said m^r Harris for the use of the Said m^r Little, The Court doth therefore order that the Said Tayler do forthwith Satisfie the Said debt of fifty five pounds of Tobacco & Caske in full Satisfaction of that debt, or Else Execution

Morris v. Where as it appeareth to this Court that Iohn Grammer Standeth
Grammer indebted unto the Estate of Bassill Little, merch^t deceased, the Sume
p. 393 of Six hundred and Eighteen pounds of Tobacco and Caske being part of a debt by Bill unsatisfied, and due as it appeareth to the Said Estate, The Court doth order that the Said Iohn Grammer do forthwith Satisfie the Said debt of Six hund^d and Eighteen pounds of Tobacco with Cost of Suit or Else Execution.

Morris v. Whereas it appeareth to this Court that Cap^t Phill: Morgin Stand-
Morgin eth indebted unto the Estate of m^r Bassill Little deceased, the Sumē of three hundred and Eighty pounds of Tobacco and Caske due by Bill and account, The Court doth order that the Said Cap^t Phillip Morgin Shall forthwith Satisfie the Said debt with Cost of Suit, or Else Execution

Keene v. Order to Cap^t Keene
Estate of Iudgment is Granted to Cap^t Henry Keene against the Estate
Little of m^r Bassill Little deceased for Six hundred pounds of Tobacco and Caske due by accompt to the Said Cap^t Keene.

Re Makey Order to Robert Makey for his freedom

Whereas by the Testimony of m^r Henry Osborne and m^r Peter Sharpe, it appeareth to this Court that m^r Bassill Little late deceased, did promise when he the Said m^r Little lay Sick to Sett free a Servant of his Named Robert Makey, And the abovesaid m^r Osborne and m^r Sharpe having manifested the Same upon their Severall oathes, The Court doth order that the Said Makey be released, and Sett free from all Claimes of Servitude from the Said m^r Little his heirs Executors or any other person by, from, or under them or either of them whatsoever.

January 12, January the 12th Anno Domini 1657
1657/8
Re Estate of Iohn Piper aged 30 yeares or thereabouts Sworne and Examined
White upon his oath Sayth, that about the middle of this last october
p. 394 Thomas White Came to the house of the Said Pipers, and told this Deponent he Came to Gather Some Hasell nuts for Margaret William Marshalls maid, And farther this Deponent Sayth that Thomas

White told him that the Said Margarett, and he the Said White, had Lib. B. No. 3
past their faith and troth together, and farther Saith not Iurat
Coram me

Iohn Hatch

Signum

Iohn m Piper

January the 12th Anno Dom̃: 1657

Depositions de Thomas White

Richard Tarling aged 23 yeares or thereabouts Sworne and Ex-
amined upon his oath Sayeth, That about nine Weekes agoe or
thereabouts this Depon^t Sayeth, Setting upon a Tree with Thomas
White in the Plantation of William Marshalls, he the Said Thomas
White told this Deponent, that he had been in Leage with William
Marshalls maid two yeares or thereabouts, And farther this Depon-
ent Sayth that Thomas White told him that if he dyed he would
give her all that he had, and farther Saith not

Iurat Coram me Iohn Hatch.

Signum

Richard X Tarling

Ianuary the 12th Anno Dom̃: 1657

Peter Carr aged 33 yeares or thereabouts Sworne and Examined
upon his Oath Sayth that about the Latter End of this Last Decem-
ber Thomas White Came to this Deponent (as he was Splitting of a
Cutt of Rayles) and Thomas White told this Deponent that he asked
Margaret (William Marshalls maid) her good will and She Said
She Loved him, And Thomas White further told this Deponent, that
he would buy her off, for he had three hogsheads of Tobacco att
Edward Swanes and one at Iohn Pipers, And this Deponent Re-
plyed he would do her master Injury to take her away till he had
Provided him another, And Thomas White Replyed to this De-
ponent, he would not do So for his Sake, And farther Sayth not

Signum

Iurat Coram me Iohn Hatch

Peter X Carr

Ianuary the 25th Anno Dom̃: 1657

William Empson Aged 35 yeares or thereabouts Sworne and Ex-
amined upon his oath Saith that Thomas White told this Deponent p. 395
(coming along Between his house and William Marshalls) the 27th
of the last December, that if it pleased God he the Said White
Should dye, before he married William Marshalls maid Margarett
he would give her all he had, And farther Sayth not,

Iurat Coram me Iohn Hatch

Signum

William M Empson

Lib. B. No. 3
Re Estate of
Slingsby

Deposit de Slingsby

Thomas Lomax Aged about 27 yeare Sworne and Examined the 22^d of Ianuary Anno Dom̃: 1657 Sayeth, That upon Wednesday the 13th of Ianuary 1657 Iohn Slingsby being in the now dwelling house of Will^m Marshall, Sayed unto the Said William take now all that I have, and lett me See how you will maintaine me, to which the Said William Replyed. Iohn So Soon as I Come from the mill, I will give you from under my hand, to maintaine you, in meate Drink Apparrell & Lodging So Long as you live, and if I dye before you You Shall be maintained out of what Estate I Leave behind me, And farther this Deponent Sayth that Iohn Slingsby made Answer; then all that I have is yours, And farther Sayth not
Thom̃ Lomax
Iurat Coram me Iohn Hatch

Ianuary the 22^d Anno Dom̃: 1657

Iohn Douglas aged one and twenty years or thereabouts Sworne and Examined upon Oath the 13th of this present Ianuary, Sayeth that he this Depon^t heard Iohn Slingsby Say unto his master William Marshall as he was Sitting in a Chaire, with these words, now I am Come, and will give you all that I have, and See now how you will maintaine me. And farther this Deponent Sayth, that his master told Iohn Slingsby, that if he dyed before Iohn Slingsbey that his Estate Should maintaine him So Long as he Lived, And farther this Deponent saith he heard Slingsbey reply, that all was his masters And farther Sayeth not
Iurat Coram me Iohn Hatch
Iohn Duglas

p. 396
Recorded
for Mrs ffen-
wick this
14th day of
ffeb. Annis
Dom̃:, 1657

Know all men by these presents that I Luke Barber of Newtowne within the Province of Maryland Gent, do acknowledge my Self to owe and Stand indebted unto m^{rs} Iane ffenwick of Putuxent of the Province abovesaid in the full and Iust Sum̃e of Thirty pounds of Lawfull English money to be paid unto her the Said m^{rs} ffenwick her heirs Administ^{rs} or Assignes, on the Thirtieth day of Iune, which Shall be in the yeare of our Lord God 1658. In or at the Royall Exchange in London.

Fenwick v.
Barber

And for the true performance of w^{ch} payment I the Said Luke Barber do hereby (for her the Said m^{rs} ffenwicks better Security) bind over unto her the Said m^{rs} ffenwick, That mare with her whole increase and one young horse (for w^{ch} this Said bond is due) and twenty pounds Sterling to be paid to her the Said m^{rs} ffenwick her heirs or Assignes (over and above the Said Horses and their Increase) on the Thirtieth of Iuly after the date of the Bond above Specified, in Case the Said Sum̃e of Thirty pounds be not defrayed, and paid as is afore Provided To all which I the Said Luke Barber do bind my Self, my heirs Executors, and Administrators firmly

by these presents, As Witness my hand this Seventh day of Iune Lib. B. No. 3
Anno Dom̃: 1657

Sealed Signed an Delivered

L Barber

in the presence of

Will Mill

Concordat Cum Orriginali

Richard Lloyd

Teste me Thomas Turner Clk

London the 21th of September 1657

Know all men by these presents that I Cap^t Iohn Tully master of the Ship Reliefe bound for Virginia, Maryland and Providence do by these presents bind my Self and Assignes unto Thomas Webb of London Merch^t or his Assigns to Receive into my Ship Reliefe from Thomas Webb or his Assignes in Virginia that is to Say from any Convenient place within the River of Putuxent in the Province of Maryland in Virginia within forty dayes after the arrivall of the Ship Relief into the River of Putuxent in Virginia, the full quantity of forty five hogsheads of Tobacco Certain and five hhds of Tobacco more uncertaine which quantity of 45 hhds I Iohn Tully do oblidge my Self to fetch or Send my boate or Sloop to bring aboard my Ship from any Convenient place within the River of Putuxent, And farther I Cap^t Iohn Tully do oblige my Self to Come home to the Port of London (the danger of the Seas Excepted) and there to deliver unto Thomas Webb or his Assignes, the abovementioned forty five Hogsheads of Tobacco, he or they paying freight after the Rate of Seven pounds Sterling per Tunn four usuall hhds according to the Gage of the Countrey to the Tunn, In performance of this Covenant I Iohn Tully do bind my Self and Assignes to pay unto Thomas Webb or his assignes, the Summe of two hundred pounds Sterling money in Case the Covenants abovewritten be not performed. In Witness hereof I have hereunto Sett my hand Seale this 23^d day of September 1657

Wittness Iames Bagnall

Iohn Tully

Parrett v. Tully

p. 397

Recorded for Mr Parrett this 15th of ffeb., 1657

I do Assigne this agreement within mentioned for 45 hogsheads of Tobacco and 5 hogsheads unto m^r William Parrett in Patuxon River in Virginia or his Assignes for my use, Witness my hand this 24th day of September 1657

P Thomas Webb

Concordat Cum Orriginali Teste me Thomas Turner Clker:

The free Guift of Robert Kingsborough is to bestow one black Cow markt on the left Eare with a Crop and two Slitts, and on the right Eare the Square, and a half moon on the under Side. This Abovesaid marked Cowe, and aged about Six and Seven yeares of age, I do desire to have Recorded for the Sonne of Edward Wells,

Recorded for the use of Robert Kingsborough's children this 16th ffebruary

Lib. B. No. 3 w^{ch} Boy is Named Edward Wells, the abovesaid Cowe and her female Increase for the use of the abovesaid Boy, only the male
 p. 398 kind Calves for my own use, untill the Boy Cometh to age, And also a Red pyed Cowe for the Daughter of the abovesaid Edward Wells marked as the abovesaid Cow is marked only a Little bitt of the Square is gone, These two Cowes I do desire to be Recorded for the use of Edward Wells and Elizabeth Wells, Children unto Edward Wells, only the Bull Calves for my use untill the Said Children be of Age. I also give unto my own Son one Red heifer marked with three Slitts in the Crop of the Left Eare, and a Square and a half moon under the right Eare. This Boy is Named Samuell Kingsborough, and aged about four yeares, These Cowes and Heifers I do Give unto the abovenamed Children, As Wittness my hand this 16th of ffebruary 1657

Re Kings-
borough

Signum

This Deed of Guift was
 made and acknowledged by
 the Said Kingsborough in
 open Court

Robert K Kingsborough

Teste me Thomas Turner Cter :

1657/8 At a Provinciall Court held at Putuxent the 16th of ffebruary 1657
 Feb. 16

Present { m^r Rich: Preston m^r William Parratt
 m^r Mich: Brooke m^h William Euens
 m^r Thom: Thomas

Lumbrozo v. Whereas upon Reference at the last Court It was Ordered that
 Gillford William Gillford was to Satisfie unto Iacob Lumbrozo four hundred pounds of Tobacco and Caske due by Bill, Reserving what the
 p. 399 Said Gillford Could discount at this Court And the Said Gillford having Iustly Discounted one hundred pounds of Tobacco of the Said Debt, The Court doth order that the Said Lumbrozo do discount the Said one hundred pounds of Tobacco and to pay their Court Charge

Overzee v. Whereas m^r Symon Overzee arrested to this Court Walter Peake
 Peake and Iohn Cornelius for a debt of two Thousand pounds of Tobacco and Caske due by Bill to Phillip Land, And Assigned by the Said Land to the Said Overzee, And the Said Peake Craveing Reference to the next Court, alledging that he can prove the Said Bill to be Void, by a Condition in the hands of the Said Land, The Court doth order and Grant a Reference in that Suit untill the next Court

Re Estate of Whereas Owen Iames hath Petitioned this Court for Administra-
 Simpson tion of the Estate of Paul Simpson deceased he the Said Iames having Produced an Account to this Court, wherein he Sayth that the Said Sympson is indebted unto him the Said Owen Iames two

Thousand four hundred pounds of Tobacco, And Walter Peake Lib. B. No. 3
Caveating to this Court that Administration may not be Granted
allegding that the Said Simpson made a Will, The Court doth
therefore order that if no will appeare at the next Court then
Administracōn to be Granted unto the Said Owen Iames upon the
Estate of the Said Simpson deceased.

Walter Peake demandeth one Thousand pounds of Tobacco out Peake v.
of the Estate of Paul Simpson deceased, due to the Said Peake by Simpson
being Security for the S^d Simpson to m^r Simon Overzee.

Whereas it appeareth to this Court th^t m^r Henry Hooper is Cary v.
Indebted unto m^r Thomas Cary Merch^t upon Ballance of all ac- Hooper
counts between the Said Cary and the Said Hooper, the Sumē of
five hundred Seventy Eight pounds of Tobacco and Caske, Except-
ing two hundred pounds of Tobacco w^{ch} in the Said account is
Charged for Copper Lace, which is to remain Charged and not—
discompted for upon the Testimony of m^r Thomas Iordan merchant,
which if he the Said m^r Iordan Shall testifie that it is to be Charged p. 400
upon the Said Hoopers accompt, is then to be added to the Said
five hundred Seventy Eight pounds of Tobacco & Caske, The Court
doth order that the Said m^r Hooper Shall Satisfie the Said debt of
five hundred Seventy Eight pounds of Tobacco and Caske with
Coste of Suit or Else Execution.

Whereas it appeareth to this Court that W^m Hammington Stand- Collett v.
eth Indebted unto Richard Collett in the Sumē of three hundred Hamming-
pounds of Tobacco and Caske, The Court doth order that the s^d ton
Hamington do forthwith Satisfie the Said Debt of three hundred
pounds of Tobacco and Caske with Cost of Suit or Else Execution.

Nonsuit is Granted unto m^r Hugh Standley in an Action wherein Veitch v.
the Said Standley is defendant, and Iames Veitch plantiffe with Standley
Cost of Suit

Whereas it appeareth to this Court that Iohn Tennis Standeth Lord v.
Indebted unto Iohn Lord in the Sumē of two hundred fifty and three Tennis
pounds of Tobacco and Caske by Bill, The Court doth order that
the S^d Tenniss do forthwith Satisfie the Said Debt with Cost of
Suit or Else Execution.

Whereas it appeareth to this Court that Thomas Stone is indebted Barbery v.
unto Ann Barbery the Sumē of two hundred ninety five pounds of Stone
Tobacco and Caske due by accompte, The Court doth therefore
order that the Said Thomas Stone Shall forthwith pay the Said two
hundred ninety and five pounds of Tobacco and Caske with Cost of
Suit or Else Execution.

Lib. B. No. 3 The Same Court Continued the 17th of ffēb: 1657 Present as the
 1657/8 day before
 Feb. 17

Harwood v. Whereas Iohn Harwood hath Severall Courts Petitioned this
 Edin Court, and Issued forth Severall Writts against William Edin for
 Satisfaction for five barrells of Corne, Sold by the Said Harwood
 to the Said Edin to Satisfie a debt of three hundred pounds of Tōb:
 for the use of the Said Harwood to Henry ffox as the wife of the
 Said Edin formerly in this Court hath Confessed, And a Refference
 being Granted the Last Court at the desire of the Said Edin unto this
 p. 401 Court, and the S^d Edin not appearing, The Court doth order that the
 Said Edin Shall Satisfie the Said three hundred pounds of Tob^o
 with two hundred pounds of Tobacco Charge and Cost of Suit or
 else Execution, unless the Said Edin do by the next Court make
 appeare that he hath Satisfied the Said debt to the Said ffox.

Ewens v. Whereas Cap^t William Ewens Administ^r of the Estate of Cap^t
 Johnson Iohn Barriffe dēced hath Petitioned for a debt, of one hundred Sixty
 and nine pounds of Tobacco and Caske due by Bill, unto the Said
 Barriffe deceased from Cornelius Iohnson, And the Said Iohnson
 alledging that he Served the Said Barriff one month, for which he
 Sayeth that he never Received Satisfaction as he Can prove by
 Arther Wright The Court doth therefore Order that if the S^d
 Wright do Testife that the S^d Iohnson did Serve the Said Barriffe
 And that to his knowledge he never rēced Satisfaction, then the
 Said Iohnson to have in his Bill for Satisfaction for his Service So
 performed to the Said Barriffe, or Else the Said Iohnson to Satisfie
 the Said Debt of one hundred Sixty nine pounds of Tobacco wth
 Cost of Suit

Smith v. Whereas Richard Smith the last Court obtained an order for
 Cockerell Attachment against the Estate of Iohn Cockrell to a Legall Determi-
 nation this Court, for a debt of two hundred Seventy and one
 pounds of Tobacco And the Said Smith Suing for order from this
 Court for Iudgment upon his Attachment, And the S^d Cockrell not
 appearing to plead to the Said Attachm^t upon the oath of the Said
 Smith, and Thomas Bellcher th^t the Said debt is Due, The Court
 doth order that Satisfaction be made out of Such Goods as were
 So Attatcht with Cost of Suit, or Else Execution.

Seamor v. Whereas Thomas Seamor arrested to this Court m^{rs} Iane Elton-
 Eltonhead head for a debt of Seven hundred and twenty pounds of Tobacco
 and Caske due by Bill, The Court doth order that the Said m^{rs}
 p. 402 Eltonhead Shall Satisfie the Said Debt of Seven hundred and
 twenty pounds of Tobacco and Caske with Cost of Suit or Else
 Execution.

Whereas Thomas Stone hath Sued to this Court, in behalfe of Cap^t W^m Stone for a debt of Eight hundred Eighty and five pound of Tobacco and Caske being the remainder of a Bill of three thousand and one hundred ninety and nine due october 1654 from Iohn Cornelius, and the S^d Cornelius discompting upon oath three hundred Eighty and Seven pounds of Tobacco allowed by the Court, and to be deducted out of the Said debt of Eight hundred Eighty five pounds of Tobacco, The Court doth order that the Said Iohn Cornelius do Satisfie the Remainder of the S^d Bill being four hundred ninety and Eight pounds of Tobacco wth Cost of Suit or Else Execution.

Lib. B. No. 3
Stone v.
Cornelius

Whereas it appeareth to this Court th^t m^r Hugh Standley is indebted unto Richard Smith and Thomas Belcher the Summe of one Thousand Twenty and nine pounds of Tobacco & Caske by accompt, and acknowledged by the S^d Standley in Court. The Court doth order that the Said m^r Standley do Satisfie the Said debt of one Thousand twenty & nine pounds of Tobacco and Caske wth Cost of Suit or Else Execution.

Smith and
Belcher v.
Standley

Whereas Aron Iacobson hath Petitioned this Court against m^r Hugh Standley for a debt of four hundred pounds of Tobacco and Caske due for worke to be done by Albert Iohnson And it appearing to this Court that the S^d Iohnson is wanting of performing his worke by four dayes It is ordered that the Said Iacobson Copartner wth the S^d Johnson do make good the Said worke to the Said Standley, and then the Said Standley to Satisfie the Said four hundred pounds of Tobacco & Caske, or else Execution And the Said Iacobson to pay Cost of Suit

Jacobson v.
Standley

Whereas Thomas Caiger hath Peticon'd this Court for a debt of one Thousand three hundred pounds of Tobacco and Caske out of the Estate of Cap^t Iohn Barriff deceased being by Condition for Service, And it appearing to this Court that the Said Caiger performed but half the time of his Condition, The Court doth therefore order that the Said Caiger Shall be Satisfied Six hundred and fifty pounds of Tobacco and Caske out of the Estate aforesaid, or Else Execution

Caiger v.
Barriff

p. 403

m^r Emperor Smith having acknowledged a Iudgment unto m^r Iohn Lawson for a debt of four hundred pounds of Tobacco and Caske, due to the Said m^r Lawson as Attorney to his Brother m^r Iohn Collins, The Court doth order that the Said Smith forthwith Satisfie the Said debt of four hundred pounds of Tobacco and Caske with forbearance and Cost of Suit, or Else Execution.

Lawson v.
Smith

M^{rs} Jane Eltonhead Craveing a Refference (by reason of the non appearance of her Wittness) in a Suit wherein Richard Smith was

Smith v.
Eltonhead

Lib. B. No. 3 plaintiff and She the Said M^{rs} Eltonhead defend^t The Court doth grant a Refference in that Suit untill march next, then to be finally Determined.

Mullekin v. Refference is Granted between Iames Mullekin plf^t and m^r Henry
Coursey Coursey defendant untill march next

Smith v. Whereas Richard Smith hath Petitioned this Court for a debt of
Brooke three hundred pounds of Tobacco and Caske due from m^r Michael
Brooke by Bill, and the Said m^r Brookes acknowledging the Said
Debt, The Court doth order that the Said m^r Brooke do Satisfie the
Said debt with Cost of Suit or Else Execution.

Hooper v. Refference is Granted (with the Consent of both parties) unto m^r
Norton Tobias Norton in a Suit depending between m^r Henry Hooper
plaintiff and him the Said Norton defend^t untill the Court to be
holden in March next.

Guttridge v. Refference is Granted untill march next in a Suit depending
Jolly between Timothy Guttridge plaintiff and Iames Iolly defendant

Stagwell v. Nonsuit is Granted unto Cap^t Sampson Waring Attorney of
Morgin Thomas Stagwell ag^t Cap^t Phillip Morgin wth Cost of Suit

Beckwith v. Nonsuit is Granted unto George Beckwith against Ann Mad-
Maddock dookes with Cost of Suit.

Stagwell v. Nonsuit is Granted unto Cap^t Sampson Waring Attorney of
Thompson Thomas Stagwell against Iames Thompson with Cost of Suit
p. 404

Watts v. Thomas Plott aged twenty one yeares or thereabouts Sworne and
Dorrington Examined in open Court Sayeth, That the Cannoe in dispute between
Alexander Watts and William Dorrington he this Deponent doth
know to be Alexander Watts, Ever Since the Said Watts bought
the Said Cannoe of an Indian which is about one year and a half
Since, And farther this Deponent Sayeth not Signum
Thomas X Plott

Barrett v. Whereas m^r Michael Brooke Attorney of William Barrett hath
Harwood Petitioned this Court for Seven hundred and Seventeen pounds of
Tobacco and Caske wth forbearance for one year, where in Phillip
Harwood Standeth indebted by Specialty for the payment of the
Same. The Court doth order that the Said Harwood Shall forthwth
Satisfie the Said debt with Cost of Suit and forbearance or else
Execution

Robert Patterson aged forty yeares or thereabouts Sworne and Examined Sayeth that he this Deponent was present when David ffarera Looked upon two hogsheads of Tobacco of m^r William Berrys which was in or about may last, And this Deponent farther Sayeth, that the Said Tobacco which the Said ffarera viewed was then Sound and Good, onely a Little Damnified (the one of them) in one of the Ioynts of the Slaves, that Hogshead not being Closely Ioynted. And farther this Deponent Sayeth not

Lib. B. No. 3
Re Berry

Signum
Robert A Patterson

Phillip Harwood Sworne and Examined in open Court Sayeth, that he this Deponent, about two months after that Tobias Norton had bought a Servant named Christopher of m^r Henry Hooper, he the Said Norton Coming Down to m^r Hoopers house, where this Depon^t then Lived, asked the Said Norton how he Liked his Said Servant, the Said Norton Replyed that he liked him well enough. And farther this Deponent Sayeth not

Hooper v.
Norton

Signum
Phillip P Harwood

Whereas m^r William Berry Attourney of Aron Iacobson hath Petitioned this Court for a debt of Six Hundred pounds of Tobacco and Caske due to the Said Iacobson from Iohn Cornelius for worke and building. And the Said Cornelius Alledging that the Said Iacobson hath not performed the Said Building, according to Condition but not proveing any Condition, The Court doth therefore order that Cap^t Henry Keene and Iohn Tayler Shall view the Said worke and building So built and performed by the Said Iacobson, and his Copartner Allbert Iohnson And that the Said Iohn Cornelius Shall forthwith Satisfie unto the Said Iacobson Soe much Tobacco as the Said Cap^t Keene and Iohn Tayler Shall in their Conscience to the best of their Iudgment adjudge due to him the Said Iacobson for the Said work and building with Cost of Suit or Else Execution.

Jacobson v.
Cornelius
p. 405

Iohn Cornelius being Convicted of Swearing in open Court, The Court doth order that the Said Cornelius pay tenn pounds of Tobacco according to Act of Assembly Provided in Such Cases to publique use.

Re Cornelius

M^r Henry Hooper having been Convicted of Swearing in open Court, The Court doth order that the Said m^r Hooper pay tenn pounds of Tobacco to publique use, according to Act of Assembly in Like Cases Provided.

Re Hooper

Whereas Mary Dammarell hath Petitioned this Court for Some Speedy Course for her Safety may be taken for the Settlement of

Re Estate of
Dammarell

Lib. B. No. 3 the Estate of her husband late dēced and to discharge herself from the Sundry Engagements wherewith the Said Estate is burthened, The Court doth order that the Said Mary Dammarell do Cause the S^d Estate to be Iustly appraized, and to bring in a Iust and true Inventory thereof at the next Court to be holden in march next, And m^r Richard Collett and m^r George Gollding, are hereby Impowered and appointed to be appraizers of the Said Estate and to discharge themselves, upon their oathes at the Court foresaid, Concerning the Estate So appraized

p. 406
February the
18, Power of
Attorney
from
Thomas
Jordan

Be it known unto all men by these presents that I Thomas Iordan of London merchant have, made ordained, and by these presence in my place and Stead put and Constituted, Richard Hix of Putuxent River in the Province of Maryland Carpenter my True and Lawfull Attorney, Giving and by these presents Granting unto my Said Attorney, full power and Authority for me and in my Name, and for my use, to ask demand Levy, recover and receive of all Such persons within this Province of Maryland, or of their heirs Executors Administrators, or Goods, Effects, Plantations, Chattels Cattles Actions and Creditts, wheresoever he they or any of them are, or Shall be found, All Such Sume or Sumes of Tobacco, and all other things whatsoever, the Said persons are oweing and Indebted unto the Said Thomas Iordan for what Cause or reason Soever the Same be, and of the Receipt to give acquittances in due forme, and if need be by reason of the premisses, to appear in any Court of Iustice, there to Sue, Implead, arrest, Seaze Sequester, attatch, Imprison, and Condemn, and out of Prison to deliver, and Generally in and Concerning the premisses to do all things, which I my Self might, or Could do being personally present, with power to Substitute one or Attorneys under him with Like or Limited power, And I the Said Thomas Iordan doth promise to hold firme and Valid all th^t my S^d Attorney and his Substitutes Shall Lawfully do, or Cause to be done in, and about the premisses, In Wittness whereof I have Sealed and Signed these presents this Thirteenth day of February 1657

Tho: Iordan

Signed Sealed and Delivered in the
p^rsence of Rich: Smith Giles Sadleir

Power of
Attorney of
Walter Sen-
serfe

p. 407

Know all men by these presents that I Walter Senserfe of London Mariner master of the Ship King David of Yarmouth have Costituted, Authorized Deputed and appointed, and by these presents do Constitute Authorize, depute, and appoint my Loveing ffriend William Berry of the County of Putuxent in the Province of Maryland planter, my True and Lawfull Attorney to all Lawfull intents and purposes in all busienesses relateing either to me or any Estate of mine within this Province; Giving unto my Said Attorney, full, free,

and absolute power to demand and receive for my use any debts Lib. B. No. 3
whatsoever due and belonging unto me within this Province of
Maryland either by Bill or accompt, and Likewise to acquitt and
discharge any person or persons upon payment And Likewise I do
by these presents give unto my Said Attorney full power to arrest,
Implead and recover by Law any debts belonging unto me, as alsoe
to Compound Release or Sett at Liberty any person or persons
whatsoever in any Suit action or actions, wherein I either am or
hereafter may be any wayes Concerned, Giving unto my Said
Attorney, as full power in all and Singular the premisses as any
Attorney whatsoever hath, or ought to have hereby Ratifying and
Confirming whatsoever my Said Attorney Shall do in the premisses,
as fully to all intents and purposes, as if the Same had been done by
my Self, He my Said Attorney Rendring me a Iust and true accompt,
of whatsoever he Shall do and receive touching the premisses by
vertue hereof. Given under my hand and Seale this Thirteenth of
ffebuary Anno Dom̃: one Thousand Six hundred fifty and Seven
Signed Sealed and Deliver Walter Senserf

in the p^rsence of us

Ri: Preston

Thomas Turner

W Sinclere.

Liber.
P. C. R.

CECILIUS CALVERT, LORD BALTIMORE,
Lord Proprietary.

JOSIAS FENDALL,
Governor.

p. 1
1658
March 26

RECORDS OF THE PROUINCIALl COURT FOR THIS
PROVINCE OF MARI. LAND BEGINNING THE FIUE
& TWENTITH OF MARCH ANO DNI 1658.

Eltonhead v. Edward Eltonhead one of th^e Masters of the Chancery p^e Attorn.
Eltonhead th^e hon^{ble} Josias ffendall Gou^e of this Province de[man]deth of
Jane Eltonhead, the Relict of Will^m Eltonhead of this Province, a
Debt of one hundred & Twenty pounds Sterl. due By Bond. from
her late husband. Eod. Writt to th^e Sheriffe of y^e County of
Caluerton to arrest &c: Ret: att th^e next Prouinciall Court to bee
held att S^t Leonard th^e County afores^d 26^o Aprilis next

March 28 Will^m Dorington desyres warr^t agst John Cornelius [in] an
Dorington v. accōu of th^e case
Cornelius Writt to th^e Sheriffe of th^e County of Caluerton to arrest &c. Ret:
at th^e next Prouinciall Court to be held att S^t Leonards in th^e County
afores^d 26^o Aprilis next.

Overzee v. Symon Ouerzee demandeth war^t agst John Cornelius in accōn
Cornelius of Debt.
warr^t To the Sheriffe of th^e County of Caluerto[n] to &c:
retur. Eod. ut Suprà.

Overzee v. Symon Ouerzee demandeth warr^t agst Phillip Land o[f [S^t]
Land Maryes, in an accōn of Debt.
Warr^t To th^e Sheriffe of th^e County of S^t Maryes to &c: ret. Eod.
vt Suprà.

Overzee v. Symon Ouerzee demandeth warr^t agst Iohn _____ in an
_____ accōn of Debt.
warr^t to th^e Sheriffe of _____

March 28 Symon Ouerzee demandeth warr^t agst Richard Foster, in an
Overzee v. accōn of Debt.
Foster

Warr^t to th^e Sheriffe of S^t Maries County to arrest &c: Ret. next
 Provinncial Court to be held att S^t Leonards in th^e County of
 Caluerton 26^o Aprilis

Liber
 P. C. R.
 p. 2

Symon Ouerze demandeth warr^t agst Andrew Watson in an
 accōn of Debt.

Overzee v.
 Watson

Warr^t to th^e Sheriffe of S^t Maries to arrest &c: Ret. eod. next
 Prouinciall Court. ut Suprà.

Cap^t Will^m Stone demandeth warr^t agst John Harwood in an
 accōn of the Case.

Stone v.
 Harwood

Warr^t To th^e Sheriffe of S^t Maries County to arrest &c: Ret. Eod.
 ut Suprà.

Cap^t Will^m Stone demandeth warr^t agst Edward Claxston in an
 accōn of the case.

Stone v.
 Claxston

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret. Eod.
 ut Suprà.

Cap^t Will^m Stone demandeth warr^t agst Martin Kerke in an
 accōn of Debt.

Stone v.
 Kerke

Warr^t to th^e Sheriffe of S^t Maries County to arrest &c: Ret Eod.
 next Prouinciall Court ut Suprà.

Henry Coursey demandeth warr^t agst Richard Smith of Pikaio-
 waxen in an accōn of Debt.

Coursey v.
 Smith

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret Eod.
 ut Suprà.

Cap^t Thomas Cornwalleyes demandeth warr^t agst Samuel Parker
 in an accōn of Debt. Ret. Eod. ut Suprà.

Corn-
 walleyes v.
 Parker

Warr^t to the Sheriffe of S^t Maries County, to arrest &c: Ret eod.
 next Prouinciall Court ut Suprà.

[Capt. Thomas Cornew]aylleys demandeth warr^t agst Iohn
 Thompkin.

Corn-
 walleyes
 v. Thompkin
 p. 3
 Cornwalleyes
 v. Kennis

Cap^t Thomas Cornwalleyes demandeth warr^t agst Thomas Kennis
 in an Accōn of Debt.

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next
 Prouinciall Court to bee holden att S^t Leonards in the County of
 Caluerton 26^o Aprilis

Cap^t Thomas Cornwalleyes demandeth warr^t agst Richard Shep-
 pey in an accōn of Debt.

Corn-
 walleyes
 v. Sheppey

Warr^t to th^e Sheriffe of S^t Maries County to arrest &c: Ret. Eod.

Liber
P. C. R.
Corn-
walleyes v.
Gooderick

Cap^t Thomas Cornwalleyes demandeth warr^t agst George Good-
erick in an accōn of Debt.

Warr^t to th^e Sheriffe of S^t Maries County to arrest &c: Ret. Eod.

Boreman v.
Chayrman

Will^m Boreman demandeth warr^t agst John Chayrman in an
accōn of the Case.

Warr^t to th^e Sheriffe of S^t Maries County to arrest &c: Ret. Eod.

Boreman v.
Brookes

Will^m Boreman demandeth warr^t agst Francis Brookes in an accōn
of the Case.

Warr^t to th^e Sheriffe of S^t Maries County to arrest &c: Ret. Eod.

March 29
Re Estate of
Crabtree
[Vide 10
Archives
420]

Whereas it appeereth uppon Record That Phillip Land entred
Caveat (1^o Septeb^r 1655) wth a demand of Adm̄istraōn of the
personall Estate of John Crabtree deceased; And noe other demand
appeering uppon Record from any clayming thereto. The Secretary
hath thought fitt to graunt Lrēs of Adm̄istraōn unto the s^d Land.
according to his demand. The sayd Crabtree being [indebted] unto
th^e s^d Land, in the Summe of Three Thowsand & Thirty pownds of
Tob: & Cask, to conteyne th^e same.

Lrē of Adm̄istraōn to Phillip Land.

Cæcilius Absolute Lord & Proprietary of th^e Prouince of Mary-
land & Avalon, Lord Baron of Baltemore &c: To Phillip Land of S^t
Maries in the County of S^t Maries Principall Cred^e of John Crabtree
Deceased late of this Province Carpenter, Greeting

Whereas John Crabtree deceased Dyed wthout any Will . . . unto
yo^u th^e s^d Phillip Land of . . . & authority to adm̄ister . . . s^d
deceased. And well . . . collect, Leuy & . . . [ma]nner of Debt &
Debts due & oweing to the s^d Deceased. And out of th^e goods
p. 4 Debts and Chattels of th^e s^d Deceased w^{ch} haue, may, or shall come
to yo^r hands, or possession well & truly to pay the Debts, due by th^e
s^d Deceased, soe far forth as th^e same shall thereto extend, & th^e
Law will charge yo^u according to th^e true ualew & summe thereof;
Yo^u hauing first taken your Oath well & truly to Adm̄ister th^e same.
And to make or cause to bee made A True & perfect Inuentory of All
& singular the Goods Chattels, & Debts of th^e s^d Deceased, w^{ch} haue,
may or shall come to yo^r hands, possessⁿ or knowledge. And allso a
True & iust Accompt in & concerning yo^r Adm̄istraōn therein. And
to exhibite both into the Office ffor Probate of Wills & Graunting
Adm̄istraōns lawfully authorized. Touching w^{ch} Inuentory yo^u are
assigned to performe att or before the first day of Septemb^r next
ensuing. And an Accompt when yo^u shall bee therto lawfully
reqyred. And lastly wee doe hereby constitute, ordaine, & appoynt

yo^u th^e s^d Phillip Land Adm̄istrato^e of all & singular the goods, chattells & Debts of th^e s^d Deceased Gyuen att S^t Maryes under the Seale of o^e Prouince of Maryland this nine & Twentieth day of March, in th^e six & Twentieth yeare of o^r Dominion ouer th^e s^d prouince or Maryland Anog Dni. 1658
 Wittnes Our Secretary of y^e s^d Prouince.
 Phillip Caluert Secr.

Liber
 P. C. R.

The same Day came Phillip Land, & acknowledged himselfe indebted to the Lord Proprietary of this Prouince of Maryland Ten Thowsand pownds of casked Tob: In case hee doe not make or cause to bee made a True & p^efect Inuentory of all & singular the Goods, chattells, & Debts of John Crabtree deceased, w^{ch} shall or may come to his hands, possesⁿ or knowledge. Nor the same doe exhibite into th^e Office for Probate of Wills, & Graunting Adm̄istrations before th^e first day of Septemb^r next; (unlesse uppon iust demand, longer time bee graunted him by the Secretary) Nor the same Goods, Chattells and Debts, doe well & truly adm̄ister, That is to say, Doe not pay th^e Debts of th^e s^d Deceased, w^{ch} hee did owe att his decease, as far as th^e s^d goods, Chattells & debts will extend & th^e Law charge him. Or if hee shall not make a true & iust . . . when hee shall bee thereto lawfully requyr[ed] . . . [rem]ainder of th^e s^d goods & chattell[s] . . . & allowed in th^e s^d Office . . . by th^e Judge or Judges of th^e s^d Crabtree shall appeare; & the Exequuto^e or Exequuto^{es} therein named doe exhibite the same, making request to haue the same approved accordingly: Then if hee doe not after Request to him lawfully made render & deliuer up his lr̄es of Adm̄istraōn into th^e s^d Office. Or shall not att any time acquitt, discharge & saue harmelesse the Secretary & all other Officers impowred to th^e graunting of lr̄es of adm̄istraōn agst all persons hauing or pretending to haue any right, tytle, or interest in & to th^e s^d goods, chattells, & debts. Witness my hand this 29^o March Ano Dñi 1658

Phillip Land

Recognit Coram me Will^m Bretton Clk.
 John Crabtrees lr̄e to M^r Ouerzee.

M^r Ouerzee & Worthy S^r

I hearing yo^u were att S^t Maries, had thought to haue come to yo^u to haue receaued satisfaction of yo^u for the money & Tob. you owe mee for my work, & my mans about yo^r howse. But by reason of sickness I am not able to come att present. Therefore I haue ap-
 poynted M^r Phillip Land to receaue it of yo^u And doe by these p^ents assigne all my right & tytle of the man & Tob: due to mee from yo^u for my worke & my man's to th^e s^d Land. I being indebted to him neare Three thowsand pownds of Tob: & cask due by Bill & acc^t And pray when yo^u pay him, take in my Bill & his Receipt shall be yo^r sufficient discharge from mee. S^r yo^u know I haue bene a great while wthout my pay, w^{ch} hath bene a great hinderance to

Liber mee in setting my family, & hath put mee to great straights for want
P. C. R. of it. Therefore I hope I shall bee noe longer delayd: for I doe not
loue trouble, if I can auoyd it. The money yo^u know wee agreed for
betwixt Will^m Howes & my selfe wth yo^u was fīue & fifty pōwnd
Sterl. in England & five thousand pōwnds of Tob. & cask here in
Maryland. Soe if I haue but halfe for my selfe & my man yo^u
are to pay mee Seauen & Twenty pōwnds ten shillings sterl in Eng-
land & Two thowsand fīue hund^d pōwnds of Tob. & cask here. And
what Tob. yo^u haue payd for mee out of it, M^r Land will allow out
of [s]omme M^r Land tells mee hee hath promised th^t I shall come &
giue . . . worke about laying yo^r floores of yo^r howse: w^{ch} I am
prouided yo^u . . . M^r Land wth out farther trouble my pea . . .
& I shall bee . . . yo^u as . . . good

Land, Phillip Land Adm̄istrato^e of the Estate of John Crabtree demand-
Admin. v. eth warr^t agst Symon Ouerzee in an accōn of th^e case to th^e ualew of
Ouerzee
p. 6 Twenty seauen pōwnds, Ten shillings sterl. & Two Thowsand fīue
hund^d pōwnds of Tob:

Warr^t to th^e Sheriffe of S^t Maries County, to arrest &c: Ret.
next Prouinciall Court, to bee held att S^t Leonards in the County of
Caluerton 26^o Aprilis next.

Subp. to th^e Sheriffe of Caluerton County to warne Edward Good
Will^m Howes, & Will^m Hempstead to testify their knowledge in
an accōn depending betwixt Phillip Land Adm̄istrato^e of John Crab-
tree, & Symon Ouerzee, & touching the bargaine betwixt him the s^d
Ouerzee & Crabtree. att th^e next Court ut Suprà.

Land v. Bale Phillip Land demandeth warr^t agst Will^m Bale in an accōn of
debt to th^e ualue of Two Thowsand Nine hund^d Twenty & Two
pōwnds of casked Tob. due by Bill.

Writt to the Sheriffe of S^t Mary's County to arrest &c: Ret Eod.
ut supra

Land v. Phillip Land demandeth warr^t agst Robert Sheale in an accōn of
Sheale Debt to the ualue of Thirteene hund^d & sixty pōwnds of casked Tob.
due by Bill & acc^t

Writt to the Sheriffe of S^t Maries County to arrest &c: Ret. Eod.

Subp. to the Sheriffe to warne M^r John Lewger to testify in dittà
caâ Ret. Eod.

Land v. Phillip Land demandeth warr^t agst Will^m Marshall in an accōn
Marshall of the case, to the ualue of Two Thowsand six hund^d pōwnds of
Tob &c:

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret. Eod.

Land v. Phillip Land demandeth warr^t agst Will^m Moffett, in an accōn
Moffett of the case, to the ualue of fīueteene hund^d pōwnds of casked Tob.

Warr^t to the Sheriffe of the County of Caluerton to arrest &c: Liber
Ret. Eod. P. C. R.

Phillip Land demandeth warr^t agst Emperour Smith in an accōn Land v.
Smith
of Debt to the ualue of ffowre hund^d & Three pownds of casked
Tob: due by Bill.

Warr^t to the Sheriffe of [the County of] Caluerton to arrest &c:
Ret. Eod. . . .

In the name of God Amen. I Iohn Greenewell of New-Towne April 1
p. 7
John Green-
well's Will
in the Prouince of Maryland, being very sick of Body, but in perfect
memory (thanks bee gyuen to Allmighty God) doe make & ordaine
this my last will & Testam^t as followeth. Imp^e I bequeath my Soule
to Allm^{ty} god my Creato^e & Redeemer; And my Body to the earth,
to be decently buried.

It. I giue unto my louing Sonne James Greenewell (whom I make [Not in Bald-
win's Calen-
dar of Md.
Wills]
my Exequuto^e after my debts & funerall charges are payd) all my
whole Estate, Except these following Legacies.

I giue unto my louing Wife Bridgett Greenewell all her wearing
cloathes her bed & furniture; halfe the stock of hoggs; halfe the
Steeres & fower Cowes. And the managing of the whole Estate
untill my Sonne comes of Age. If my Ouerseers shall soe thinke fitt.

It. I giue unto my God-daughter Anna Warren a Cow calfe.

It. I giue unto M^r ffitz herbert a hogshead of Tob. in testimony
That I dye a Roman Catholique.

It. I make & ordaine my two loving freinds Cap^t Will^m Euans &
M^r James Langworth to bee Ourseers to my Child, And in case my
Child dye before he comes to age. I give unto the Ouerseers One
third part of his Estate betwixt them, And the rest to be disposed of
to pious uses: as for the releife of poore Catholique Children & the
like.

In wittnes th^t this is my last will & testam^t I haue hereunto sett
my hand. March the 27^o 1658.^o

John † Greenewell
his marke

In the presence of
Walter Hall
John \$ Shirtcliffe
his marke.
Thomas Bankes.

M^r Will^m Bretton I doe hereby authorize yo^u to take such deposi-
tions, as you shall be requyred to take by Cap^t Will^m Euans, & M^r
James Langworth touching the probate of the will & Inuentory of
the estate of John Greenewell deceased, & for soe doing this shall
bee yo^r warr^t Apr: 2^d 1658

Philip Calvert Judge in Testamentary Causes

Liber
P. C. R.
April 3 Walter Hall examined, maketh Oath That hee this Depon^t wrote this will of John Greenwell 2 or 3 dayes before hee dyed. And th^t the s^d John Greenwell sign . . . will in this Depon^{ts} ueiw; hee this Depon^t putting his hand . . . last will & Testam^t of the s^d . . . further sayth not.

Walter Hall

p. 8 Thomas Banks examined eod. die. maketh Oath That he this Depon^t was present, when John Greenwell signed this will, hee this Depon^t allso signing it wth his owne hand, as a wittnes.

Jurat. Cora me Will^m Bretton. Thomas Banks

John Shirtcliffe deposeth idem, uerbatim, quod Thomas Banks.
ut supra John \$ Shirtcliffes
Jurat Cora me Will^m Bretton. marke.

Hussey v.
Hammond Thomas Hussey, p^e Attornat. John Lewger demandeth warr^t agst Anne Hammond, in an accōn of debt to the ualew of thirteene hund^d pownd of Tob. & cask, due by Bill.

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret next Prouinciall Court, to be held att S^t Leonards in the County of Caluerton 26^o Aprilis next.

Coursey v.
Baysey Henry Coursey demandeth warr^t agst Michael Baysey in an accōn of Debt.

warr^t to the Sheriffe of Caluerton County to arrest &c: Ret. next Prouinciall Court ut supra 26^o Aprilis next.

Pendleton v.
Waring Thomas Pendleton demandeth warr^t agst Sampson Waring in an accōn of Debt to the valew of Twelve hund^d pounds of Tob.

warr^t to the Sheriffe of Caluerton County to arrest &c: Ret. next Prouinciall Court ut Suprà. 26^o Aprilis

Subpanê to the Sheriffe of Caluerton County to warne, & cause Will mac Doell to appeare, & testify his knowledge in this suite.

Sheriden v.
Blinkhorne Thomas Sherridon demandeth warr^t agst Robert Blinkhorne in an accōn of the case.

warr^t to the Sheriffe of Caluerton County to arrest &c: Ret. ut Suprà

Ashcombe v.
Johnson John Ashcombe demandeth warr^t agst Cornelius Johnson in an accōn of Debt, to the valew of 700^t Tob.

warr^t to the Sheriffe of Caluerton County to arrest &c: Ret ut Suprà

Ashcombe v.
Martin John Ashcombe warr^t agst Abdalla Martin in an accōn of Debt to the ualew of 700^t Tob . . .

Dauid Ferreira demandeth warr^t agst Mathew Smith in an accōn of the Case. Liber
P. C. R.
Ferreira v.
Smith
p. 9

warr^t to the Sheriffe of Caluerton County to arrest &c: Ret. next Prouinciall Court to bee held att S^t Leonards in the County of Caluerton afores^d 26^o Aprilis next

Subpenà indè to the Sheriffe ut Suprà to warne Michael Baysey & Joane Baysey his wiffe, to testify their knowledge in ditta caâ Ret ut Suprà.

Walter Hall demandeth Attatchm^t uppon the Estate of Cap^t Will^m Mitchell to the valew of Seauen hundred twenty & Seauen pownds of Tob & cask iust Debt, due by couenant or Bill under his hands, Año 1653^o & not yet satisfyed, wth costs & dammages. April 5
Hall v.
Mitchell

Attatchm^t to the Sheriffe of S^t Maries County to attach &c: to the ualew of fowrteene hund^d & ffifty pownds of Tob. & cask Ret. att the Prouinciall Court to bee held in Septemb^r next

Know all men by these p^ents th^t I Luke Barber of the prouince of Maryland Physitian, haue ordayned, constituted & appoynted my louing freinds Randall Henson & Thomas Banks & by these p^ents I doe ordeine, constitute & appoynt the s^d Randall & Thomas my true & lawfull Attorneys, for me & in my name, & to my proper use & behoofe to aske, sue for, leuy & recouer all bills, debts, dues & accounts whatsoeu^e of, or belonging to mee the s^d Luke Barber, As also for mee & in my name & absence to take into their pōssion all & euery p^eticular of my Estate (Viz) land, howses, cattle, horses, hoggs, howsholdgoods, or any other thing or things whatsoeu^e of or belonging to mee. And them to possesse till my retorne from England or further order from mee, or my heyres or assignes therein. As also to implead, imprison & . . . of prison againe to deliuer any persons indebted to mee. As also after paym^t to giue full releases & discharges. And likewise to possesse themselues of & wth any Cargoe of goods or Seruants, or any thing th^t shall in my absence bee sent mee out of England. & to order & dispose thereof according, to my priuate instructions gyuen to them from mee under my hand, W^{ch} instructions is also to bee their rule & warr^t for ordering, or disposing of any & euery thing herein mentioned W^{ch} power & Authority I doe hereby these p^ents ratify & confirme in as full & ample manner, as if I my selfe were then & there actually present, att the doing or disposing of any thing herein mentioned. To the true performance of which I the s^d Luke [Barber] have hereunto sett my hand this 15 of ffebruary 1657 Power of
Attorney
from Luke
Barber

L. Barber.

Testes Will^m _____

John _____

Re Fox
April 6

. . . of Henry ffox . . . Poesy deceased . . . Bill & 900^t

Liber
P. C. R.
Re Estate of
Posey
p. 10

This Day came Wallter Hall of Newtowne & acknowledged himselfe indebted to the L^d Proprietary of this Prouince in the summe of Sixteene hund^d pounds of Tob. in case hee doe not make or cause to be made, a true & p^efect Inuentory of all & singular the goods, Chattels & Debts of ffrancis Poesy deceased, w^{ch} shall or may come to my hands, possesⁿ or knowledge. Nor the same doe exhibite into the Office for Probate of Wills, & Graunting Adm̄istraōns, before the first day of Septemb^r next (unlesse uppon iust demand longer time be graunted him by the Secretary) Nor the same Goods, Chattells & Debts doe well & truly adm̄ister That is to say, Doe not pay the Debts of the s^d deceased w^{ch} hee did owe att his decease, as far as the s^d Goods, Chattels, & Debts will extend, & the Law charge him. Or if hee shall not make a true & iust accompt of & uppon his s^d Adm̄istraōn when hee shall bee therto lawfully requyred. Or shall not distribute & dispose the remainder of the s^d Goods & Chattles, w^{ch} shall be fownd uppon his s^d account, examined & allowed in the s^d Office, in such manner & forme as hee shall bee limited & appoynted by the Judge or Judges appoynted & authorized in th^t behalfe. And in Case any last Will & Testam^t of the s^d Poesey shall appeare & the Exequuto^e or Exequuto^{es} therein named doe exhibite the same, making request to haue the same approued accordingly. Then if he doe not after request to him lawfully made render & deliuer up his l^rēs of Adm̄istraōn into the s^d Office. Or shall not att any time acquitt discharge & saue harmelesse the Secretary & all other Officers impowred to the graunting of L^rēs of Adm̄istraōn agst all persons hauing or pretending to haue any right, tytle, or interest in & to th^e s^d goods Chattles & Debts. Witness my hand this Sixt Day of Aprill. Ano Dñi 1658

Walter Hall.

Recogn Cora me Will^m Bretton

It is Ordered th^t the L^rēs of Adm̄istraōns bee forthwth drawne.

Lrē of Adm̄istraōn } Cecilius Absolute Lord & Proprietary of the
to Walter Hall for } Prouinces of Maryland & Aualon Lord Baron
Poesy's estate. } of Baltemore & To Walter Hall of Newtowne
in the County of S^t Maries, Principall Cred^r of ffrancis Poesey Deceased, late of this Prouince Planter Greeting, Whereas ffrancis Poesey deceased, dyed wth out any Will, We doe therefore Graunt unto yo^u the s^d Walter Hall of Newtowne in the County afores^d ffull power & authority to adm̄ister all & singular the goods, chattles, & Debts of the s^d Deceased: And well & faithfully to dispose of the same: And to demand collect, leuy, & in Legall manner . . . receaue All, & all manner of Debt & Debts due, & owing to the s^d . . . of the goods, debts & chattels of the . . . lands or possesⁿ well & truly . . . as the same, shall therto . . . true value & summe therof; yo^u hauing first taken yo^r Oath, well & truly to adm̄ister the same.
And to make or cause to be made A True & perfect Inuentory of all

p. 11

& singular the goods, Chattels & Debts of the Deceased, w^{ch} haue, Liber
may, or shall come to yo^r hands, possesⁿ or knowledge. And allso a P. C. R.
true & iust Account in and concerning yo^r adm̄istraōn therein. And
to exhibite both into the Office for Probate of Wills, & Graunting
Adm̄istraōns lawfully authorized. Touching w^{ch} Inuentory yo^u are
assigned to performe att or before the first day of Septemb^r next
ensuing. And an account when yo^u shall bee therto lawfully re-
quyred; And lastly wee doe hereby constitute, ordaine & appoynt
yo^u the s^d Walter Hall Adm̄istrato^e of all & singular the goods,
Chattles & debts of the s^d Deceased Gyuen att S^t Maries this Sixth
day of Aprill, in the Six & Twentieth yeare of Our Dominion ouer
the s^d Prouince of Maryland Ansq Dni 1658 Wittnes Our Secre-
tary of Our sayd Prouince.

Philip Caluert Secr.

To all Christian poeple to whom this present writing shall come. Deed from
Know yee th^t I Will^m Styles of the prouince of Maryland Plant^r W^m Styles
haue bargayned & sold, & by these p^ents, doe bargaine & Sell vnto
Robert Shell of the s^d prouince Plant^r his heyres, Exequuto^{es}, ad-
m̄istrato^{es} & assignes One halfe of my now dwelling Plantaon Neare
Brittons Bay as may more planiely appeare by the Patt^t thereof. As
allso halfe the cleare Land, as well as the Vncleared, wth halfe the
dwelling & tobacco howsing thereon: & one halfe of all other build-
ing or buildings now upon the s^d Plantaōn, & the one halfe of all
other thing or things, w^{ch} properly belong unto the s^d plantaōn. And
doe bind my selfe, heyres, Exequuto^{es} &c: to make good the Sale
thereof, unto the s^d Shell &c: from all iust claimes in Law. Prouided
allwayes, & upon this condicōn neuerthesse th^t the s^d Robert Shell
doe well & truly pay, or cause to bee payd unto mee, my heyres,
Exequuto^{es} &c: the summe of Two Thowsand pownds of merch^{bte}
tobacco & cask, the next Crop ensuing, & one Thowsand more of the
like Tobaccho about the Tenth day of Octob^r in the Yeare One
Thowsand six hund^d fifty eight as by Two Bills vnder the sayd
Shell's hand may more plainly appeare. W^{ch} Tobaccho is in full, for
the paym^t of the one halfe of the aboue plantaōn w^{ch} conteynes in
all one Hundred Acres of Land according to Pattent, unto w^{ch} I
putt my hand & Seale this first day of May, One Thowsand Six
hund^d fifty & Seauen.

The marke of

O

+

Sealed . . . in the
pn^ece . . .

Will^m Styles The Seale

This day came Philip Land of S^t Maries & acknowledged him-
selfe indebted unto the Lord Proprietary of this Prouince, in the
summe of One Thowsand pownds of Tob: & cask. In case the s^d
Philip Land (for the space of one whole yeare next ensuing the

p. 12
April 8
Ordinary
License

Liber
P. C. R. date hereof) shall suffer or permitt, any euill rule or order to be kept in his s^d howse att S^t Maries especially uppon any the Lords Days (called Sundays) by gaming or exorbitant drinking, during the time of Diuine Seruice. Or shall suffer any Seruants or Apprentices to remaine tipling, or drinking in his howse wth out their Masters priuity; or shall Sell or giue such Apprentices drinke, occasioning their disorder thereby. Or shall sell drinke by retayle, att greater price then is allowed by an Act of Grall Assembly Provided in that behalfe
Phillip Land:
Recognit Corà me Will^m Bretton.

Philip Caluert Esq^r one of the Priuy Councell of this Prouince of Maryland & Justice of the Peace, under the R^t Hon^{ble} Cecilius Lord Baltemore Absolute Lord & Proprietary thereof, Sendeth Greeting in our Lord God euerlasting. Know yee th^t I the s^d Philip Caluert, uppon good & credible report to mee made by diuers Inhab^{ts} of this Prouince, That Philip Land of S^t Maries in the Pro: of Maryland afores^d is a Man-Meet to keepe an Inne, or Ordinary in the howse where he now dwelleth att S^t maries, for the conuenience & entertainment of sundry the Inhab^{ts} comming & resorting uppon their occasions to S^t maries afores^d Haue licenced, allowed & admitted, & doe by these p^{nts} lycence, allow & admitt the s^d Philip Land to keepe an Inne or Ordinary, for one whole yeare ensuing the date hereof, Soe th^t the s^d Philip Land suffer not any euill rule or Order to be kept in his s^d howse, during the time of this his s^d Lycence, ffor the using of w^{ch} lycence accordingly I the s^d Philip Caluert doe yo^u to witt, th^t I haue bownd the s^d Philip Land in One Thowsand poulds of Tob, by Recogniz. to the Lord Proprietary of this Prouince. In witness whereof I haue hereunto sett my hand & Seale, this 8th day of Aprill Ano Dñi 1658.

Philip Caluert The ✕ Seale

Overzee v.
Eltonhead Symon Ouerzee demandeth warr^t agst Jane Elltonhead in an accōn of the case, to the ualew of One Thowsand poulds of Tob. Warr^t to the Sheriffe of Caluerton County to arrest &c: Ret. next Pro:th Court to be he[ld at] S^t Leonards in the County of Caluerton 26^o Aprill

— v. Tunnis . . . John Tunnis in an accōn of . . .
p. 13 Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next Prouth Court to bee held att S^t Leonards, in the County of Caluerton 26^o Aprill next

Ferriera v.
Jolly Daud Ferriera demandeth warr^t agst James Jolly, in an accōn of Debt to the ualew of 1300^t Tob. Warr^t to the Sheriffe of Caluerto' County to arrest &c: Ret, ut Supra

Dauid Ferriera demandeth warr^t agst Will^m Ennis in an accōn of Debt, to the ualew of 840^t Tob. & Cask. Liber
P. C. R.
Ferriera v.
Ennis

Warr^t to the Sheriffe of the County of Caluerton to arrest &c: Ret. next Prouinth Court. 26^o Aprill ut Suprà.

David Ferriera demandeth warr^t agst Will^m Berry in an accōn of Debt to the ualew of 960^t Tob. Ferriera v.
Berry

warr^t to the Sheriffe of Caluerton County to arrest &c: Ret. next Prouinciall Court 26^o Aprill ut Suprà

Dauid Ferriera demandeth warr^t agst John Dauies in an accōn of Debt, to the ualew of 541^t Tob. & cask. Ferriera v.
Davies

Warr^t to the Sheriffe of the County of Caluerton to arrest &c: Ret. next Prouinciall Court 26^o Aprilis next

Richard Smith demandeth warr^t agst John Obder in an accōn of Debt, to the ualew of 500^t Tob & cask. Smith v.
Obder

Warr^t to the Sheriffe of the County of Caluerton to arrest &c: Ret. next Prouinth Court 26^o April next ut Suprà.

Richard Smith demandeth warr^t agst Emperour Smith in an accōn of Debt Smith v.
Smith

Warr^t to the Sheriffe of the County of Caluerton to arrest &c: Ret. next Prouinth Court 26^o April ubi Suprà.

Richard Smith demandeth warr^t agst Thomas Hopkins in an accōn of Debt. Smith v.
Hopkins

warr^t to Sheriffe of the County of Caluerton to arrest &c: Ret. next Prouinciall Court 26^o Aprilis ubi Suprà.

Richard Smith demandeth warr^t agst James Veitch, in an Debt to the ualew of 3000^t Tob. Smith v.
Veitch

warr^t to the Sheriffe of the County of Caluerton to . . . next Prouinciall Court, ut Suprà.

Richard Smith demandeth warr^t agst Nathaniel _____ Smith v.

acon of [de]bt.

warr^t [to the] Sheriffe of the County of Cal[uerton] . . . to be held . . .

Richard Smith demandeth warr^t agst John Pott, in an accōn of Debt. p. 14
Smith v.
Pott

Warr^t to the Sheriffe of the County of Caluerton to arrest &c: Ret. next Prouinciall Court to bee held att St Leonards in the County of Caluerton 26^o Aprilis 1658.

Liber
P. C. R.
Re Boreman

John Nicholds aged forty yeares or thereabouts, att the request of Will^m Boreman examined, Sayth uppon Oath, That about fve yeares since, hee this Dep^t assigned to Will^m Boreman 300 Acres of Land in M^r Hatton's howse, & before the s^d M^r Hatton. M^r Hatton allso gyuing the s^d Boreman a warr^t for the taking up of this Dep^{ts} rights of Land att nangemy, & wth Cap^t Stones, the then Gou^{es} order: uppon the North East branch of the s^d nangemy Creek, & on the westerne side thereof.

Jurat. Cora me Philip Calvert.

John Nicholds mark

Dorington
v. Meese

Will^m Dorington demandeth warr^t agst Henry Meese Merch^t in an accōn of the Case.

Warr^t to the Sheriffe of the County of Caluerton to arrest &c: Ret. next Prouinciall Court, at S^t Leonards 26^o Aprilis ut Suprà.

April 13
Truman v.
Stevenson
Vide 3 Md.
Archives 340

Leiu^t Thomas Truman demandeth warr^t agst Will^m Stephenson in an accōn of the case to the ualew of 2000^t Tob.

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret next Prouinciall Court to be held att S^t Leonards in the County of Caluert 26^o Aprill next 1658.

Lindsey v.
Marshagioy

James Lindsey demandeth warr^t agst Benedict Marshagioy in an accōn of Debt.

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret ut Suprà.

Chareman v.
Boreman

John Chareman demandeth warr^t agst Will^m Boreman in an accōn of the Case.

Warr^t indè to the Sheriffe of S^t Maries County to arrest &c: Ret. next Prouincaill Court to be held ut Suprà.

Subpoen. to warne James Lindsey, Christopher Jones John Charon to testify their knowledge in dittâ caâ. in behalfe of the p^{tf}.

Lindsey v.
Watson

Edmund Lindsey demandeth warr^t agst Andrew Watson in an accōn of the Case.

warr^t to the Sheriffe of S^t maries [Coun]ty to arrest &c: Ret. ut Suprà

Subp[oen. to] Robert Troop . . . Rozier, George Thompson . . . in dittâ caâ on the behalf . . .

Re Robins
p. 15

Thomas Wills examined sayth uppon Oath, That sometime in May last, Hee this Dep^t being aboard M^r Hunnifords Vessell, Elizabeth the Wife of Robt Robins came on board, wth some poeple of New-Towne (as this Dep^t thinketh) two or three howers before night, & there stayd drinking in the Vessel all th^t night. The fores^d

Hunniford assigning her his Cabbin to lye in, & did lye downe priuately by her, for the space of halfe an howre, And whilst they were thus together This Dep^t heard the s^d Elizabeth utter words to this effect. Bidding M^r Hunniford be quiett for M^r. Wills was awake yett, & further Sayth not

Liber
P. C. R.

Jurat Coram me Will^m Bretton.

Tho: Wills.

Subpoen. (att the request of Rob^t Robins) to warne Christopher Goodwicker to be att the next Prouinciall Court 26 Aprill to testify his knowledge Concerning the s^d Robins & his Wife.

Charles Maynard demandeth warr^t agst Walter Hall in an accōn of the Case.

Maynard
Hall

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next Prou: Court att S^t Leonards in the County of Caluert 26^o Apr.

Att a Court held att the Gou^{es} howse in Wicomoco Ryuer.

1658
April ?

P^{net} { Josias Fendall Esq^r Gour^r Cap^t Will^m Stone Ca^t: John Price
Philip Caluert Esq^r Secret. M^r Tho: Gerard. m^r Rob^t Clarke.

Upon the Demand of M^r Job Chandeler & M^r Symon Ouerzee touching Coth ffrancis Yardley's Land in Portobacco Creek, The s^d Coth Yardleys right being made appeare in Court. The Opinion of the Court is th^t M^r Job Chandeler & M^r Symon Ouerzee afores^d haue Patt^t for the s^d Land. They being the Assignees of M^{rs} Sarah Yardley, Relict of Coth Francis Yardley afores^d

Re Yardley's
Estate

Cap^t Will^m Euans, & M^r James Langworth brought the Will of John Greenwell before this Court, & shewed th^t in the s^d Will it was not sufficiently declared by whom the Estate was to be disposed, to the defraying of funerall charges, & paym^t of Debts. The Child being constituted Exequuto^e, But not till after Debts & funerall charges were defrayed. The Opinion of the Court was That although they were left as Ouerseers only to the Exequuto^e named (who was under age) Notwthstanding they might take the Estate into their hands & pay debts [and] funerall charges. And after manage the same to the use aduatage . . . till hee . . . full age & soe Ordered accord . . .

Re Green-
well's Estate

Upon the difference between Cap^t Will^m Stone, & Will^m Boreman touching the s^d Boremans Land att Nangemy. It appearing to this Court, That the sayd Boreman did not legally pursue his warrant for 400 Acres of Land, wthin the time, in the s^d warr^t prescribed. It is Ordered by this Court That a Pattent immediately be passed to Cap^t Will^m Stone of the Land by him demanded. And in regard That the s^d Boremans right, to soe much Land doth yett remaine

Stone v.
Boreman
p. 16

Liber unto him. And th^t the Suruey^e did in his owne wronge suruey, &
P. C. R. receaue pay for suruey of that Land att Nangemy. It is Ordered
allso by this Court th^t the s^d Will^m Boreman shall haue 400 Acres
in some other conuenient place, & the Suruey^e to lay it out wthout
satisfaction or pay from the sayd Boreman.

Re Antonio's Estate Symon Ouerzee demandeth Lrēs of Adm̄istraōn upon the Estate
of Symon Antonio, as Cred^e unto it (Viz) one Thowsand two hund^d
pounds of Tob. due by Bill.

Will^m Boreman demandeth of the Adm̄istrato^r of the Estate of
Symon Antonio Ninety nine armes Length of Roanoke.

April 14 Mr Jarbo
Re Dandy's Estate I doe hereby authorize yo^u, to take into yo^r possesⁿ All such Cattle
w^{ch} John Dandy late of this prouince was possessed w^{ch} att the time
of his arreignm^t, & w^h were properly belonging to the s^d Dandy, &
of his owne proper marke, & them to keepe in yo^r owne custody, for
the L^d Proprietaries use, till further Order from me
Josias Fendall.

Stone v. Philips Cap^t Will^m Stone demandeth warr^t agst Bartholomew Philips in
an accōn of Debt of 350^t Tob.

Warr^t to the Sheriffe of S^t Maries County to Arrest &c: Ret. next
Prouinciall Court to be held att S^t Leonards in the County of Calvert
26^o April next.

Warren v. Hill Humphrey Warren demandeth Attatchm^t upon the goods of
Robert Hill to the Valew of 25^b Sterl.

Attatchm^t to the Sheriffe upon, goods, debts, chattels &c: of
Robert Hill (whereto he shall be demanded) Ret. June Court next

Evans v. Girard Clodoueus Mace aged 30 yeares & upwards, att the Request of
Cap^t Will^m Euans Deposed this 10th August 1657^o Sayth as ffollow-
eth, That he this Dep^t carrying M^r Bretton's calves to weane att
such time, as he lyued wth the s^d M^r Bretton (as he . . . 7 or 8 yeares
agoe) att Cap^t . . . brought back some other . . . s^d Cap^t Euans.

p. 17 Amongst w^{ch} was one Calfe, w^{ch} Cap^t Euans deliuered to John
Norman (he being there actually present) for the sole use of the s^d
Normans Daughter in Law, Anne Browne. W^{ch} sayd calfe, the s^d
Norman marked, att M^r Brettons Landing, to th^t intent, & for his
s^d Daughter, W^{ch} Calfe after a yeare or two growing, had a Calfe
att M^r Brettons, Afterwards leauing th^t his plantaōn att M^r Brettons
he carryed th^t Cow, & her encrease, to the head of the Bay S^t
Clements. Afterwards againe he remoued to Longworths Poynt, in
M^r Gerards Mannor where hee dyed. But since his the s^d Normans

going from Mr Brettons That Cow aboues^d Beareth now anothe^r Liber
marke, to that w^{ch} the s^d Norman gaue her, (as he supposeth by P. C. R.
reason of the last great frost) w^{ch} s^d Cow is att this p^{ent} in Mr
Gerards possesⁿ w^{ch} the s^d Mr Gerard claymeth to be his, And
further this Dep^t sayth That That Cow w^{ch} Mr Gerard now keepeth
& claymeth (by Reason for a nearenes to his marke) is the very
Cow, w^{ch} the s^d Cap^t Euans deliuered to the s^d Norman for the use
of Nan, as afores^d w^{ch} hee uery well knoweth.

Jurant Cora me L Barber.

Clouis Mace

Bartholomew Phillips Examined sayth uppon Oath That he this
Dep^t was p^{ent}, when Cap^t Euans deliuered a Cow calfe to J^{no}
Norman for the use of the s^d Normans Daughter in Law, named
Anne Browne, W^{ch} s^d calfe was marked att Mr Brettons landing, by
the s^d Norman for the use of his fores^d Daughter, & did remaine
uppon Mr Brettons neck till shee had a calfe. And further th^t uppon
One eare it was marked wth a kind of flowre de Luce; & the other
eare wth a dangling peice hanging downe, Thus much he deposeth
Yett he uerily beleiueth th^t That Cow w^{ch} is now in controuersy
betwixt Mr Gerard & Cap^t Euans, is That uery Cow; Though he
feareth, & will not depose soe much, for th^t one Cow may be like
another, ffor being Demanded by Mr Gerard, if he this Dep^t knew
th^t Cow, he made answere, That it was Anne Brownes Cow, as hee
uerily beleiued

Barth: + Philips

Jurat Cora Will^m Bretton.

Agnes the Relict of John Norman examined, sayth uppon Oath, p. 18
That being newly married to the s^d Norman, shee asked him, whose
That heifer was (Viz) w^{ch} is now in dispute, betwixt Mr Gerard &
Cap^t Euans Hee made answere th^t it was his Daughters, Anne
Browns, And shee sayth th^t shee still milked th^t Cow, or heifer, both
att Mr Brettons, att the head of St Clements, & lastly att Longworths
Poynt in Mr Gerards mannor. And shee well knoweth th^t this is
That Cow (w^{ch} Mr Gerard now layeth claime to, as his owne w^{ch} hee
first demanded of her husband [Jno.] Norman whose heifer . . .

Agnes Norman

+

Robert Cooper Deposed, sayth, That two or three dayes before April 15
Richard Ware dyed, the s^d Ware lying uery sick this Dep^t being Re Ware's
there present wth him, & desyring the s^d Rich: Ware to dispose or Estate
settle what he had to his best liking made this Verbal Will, Speaking
to his Wife Agnes Doe yo^u take all I haue, & pay my Debts, as far as,
what I haue, will satisfy, for I desyre th^t you should haue all, & bee
my Exequuto^e or Admistrato^e or words to th^t effect.

×

Robert Cooper

8. If it shall soe happen, th^t my Wife Jane Cawsine dye, before my Two Sonnes Ignatius & Nicholas Causine come to yeares. Then it is my will, That my Ouerseers take care of them, together wth their Estates, & to manage the same, for the best advantage thereof, till they come to their yeares aboues^d

9. And further it is my Will That my Two sonnes Ignatius & Nicholas Causine for Two yeares after the time exsphyred of enioyng their Estate, shall not dispose of any of their Estate, eyther in bargayning or selling, or otherwise to diminish it, wthout the consent of their Mother, if shee bee then lyuing, & of the Ouerseers of this my Will.

In wittness wherof I haue hereunto sett my hand & Seale the day & yeare aboue written

The ✱ Seale
Nicholas Causine

Signed & Sealed in p^{en}ce of
Thomas Carpenter
Mary Coksute.

M^r Clarke's Bond. These p^{en}ts wittness th^t I Robert Clarke of Maryland Gentⁿ doe acknowledge my selfe to stand indebted to Henry Adams of Maryland Plant^r the somme of Ten Thowsand pownds of good Tob. wth cask to bee payd by me, my heyres, Exequuto^{es}, Admⁱstrato^{es}, or Assignes, to him his heyres, Exequuto^{es}, Admⁱstrato^{es} or Assignes uppon demand. Wittnes my hand & Seale this first day of Octob^r 1656. The Condi^{ti}on of this Obliga^{ti}on is such, That if the aboue bownden Robert Clarke shall after marriage contracted betweene him & M^{rs} Jane Causine Widdow, permitt unto such persons, as shee shall thereunto appoynt from time to time the propriety & possesⁿ of all the Estate left unto her, by her late husband Nicholas Cawsine deceased, wthout any interruption or molestati^on, then this Bond to bee voyd, but else to stand in full force & uertue

Locus X Sigilli

Sealed & Deliu^{er}ed in [presence] of . . .

Robert Clarke

Cornelius Johnson demandeth warr^t agst Henry Thickpenny in an acc^on of Debt

warr^t to the Sheriffe of Caluert County Ret. next Prouinciall Court to bee holden att S^t Leonards 26^o Aprilis.

April 19
p. 20
Johnson v.
Thickpenny

John Daus demandeth warr^t agst Richard Garford in an acc^on of Debt to the ualew of six hund^d & Ten pownds of Tob.

Davis v.
Garford

Warr^t to the Sheriffe of the County of Caluert Ret. ut Suprà.

John Daus demandeth warr^t agst Thomas Sprigge in an acc^on of the Case.

Davis v.
Sprigge

Warr^t to the Sheriffe of the County of Caluert Ret ut Suprà.

Liber
P. C. R.
Ashcombe v.
Johnson Subpoen. to the Sheriffe of the County of Caluert to warne Ismael Wright, will^m Stogdale, & Guy White to bee att the next Prou: Court, to testify in a cause depending betwixt John Ashcombe & Cornelius Johnson, on the behalfe & request of the s^d Cornelius Johnson.

Ferreira v.
Jolly Subpen. to the Sheriffe of County of Caluert to warne Rob^t Kingsberry & James Veitch to bee att the next Prou: Court, to testify &c: in a cause betwene Daud ffereira, & James Jolly, att the request of the s^d Jolly

Blinkhorne
v. Harwood Rob^t Blinkhorne demandeth warr^t agst Phillip Harwood in an accōn of Case
warr^t to the Sheriffe of the County of Caluert Ret 26^o Ap. ut Suprà.

Odber v.
Pott John Odber demandeth warr^t agst John Pott in an accōn of Debt.
Warr^t to the Sheriffe of the County of Caluert, Ret. ut Supra.

Anketill's
Cattle Mark Francis Anketill recordeth his mark of Cattle &c. (Viz) The Right eare Cropd, wth a hole in it. The Left eare peeked or Prick eared.

And whereas the s^d ffancis Anketill haue giuen one Brindled Cow & calfe to his Yowng Daughter Fayth; & to bee to her use for euer. The sayd Brindled Cow still keeping the s^d Anketills old marke, yett the calfe is marked contrary to his owne Marke (Viz) The Left eare Cropd wth a hole & the Right eare peeked or prickeard. w^{ch} he enters for the marke of his sayd Daughter ffayth.

Edward
Smith his
Acquittance
etc.
p. 21 To all Christian Poeple to whom these Presents shall come. Greeting in Our Lord God Euerlasting. Know ye th^t I Edmund Smith of New-Towne in the Prouince of Maryland in America Plant^r haue remised, released, acquitted, exonerated, discharged & for euer quite claymed, And by these presents for me, my heyres, Exequuto^{es}, Adm̄istrato^{es} & Assignes doe remise release acquitt exonerate, discharge & for euer quite claime to Lawrence . . . of Adstock in the County of Wilts in England Gentⁿ his . . . all & all manner of Suites, quarrells, debts, debates exequutions, demands & Annuities whatsoever That I euer haue had, now haue, or hereafter may haue from the Creation of the world, to the day of the date of these p^{nts}. In witness whereof I have hereunto sett my hand & Seale this 19 day of Aprill, in the yeare pf o^e Lord 1658

Signed Sealed and deliuered
in the p^{nce} of us
Philip Caluert
Will^m Bretton
Richard Willan
John Jarbo.

Locus X Sigilli
Edmund Smith

Will^m Mills demandeth warr^t agst Stephen Tickner in an accōn of the case, to the valew of 400^t Tob. Liber
P. C. R.
Mills v.
Tickner

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next Prouinciall Court to be held att S^t Leonards in the County of Caluert 26^o Aprill.

Christopher Joanes demandeth warr^t agst Stephen Tickner in an accōn of the Case to the ualew of 5000^t Tob. Jones v.
Tickner

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret ut Suprà

Stephen Tickner demandeth warr^t agst Chrōfer Joanes in an accōn of the Case of 5000^t Tob. Tickner v.
Jones

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret ut Suprà

Jane the Relict of Cuth: ffenwick demandeth warr^t agst Phillip Land in an accōn of Debt to the ualew of 700^t Tob. Fenwick v.
Land

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret ut Suprà.

Thomas Banks came & recorded his marke (Viz) The Right eare Crop'd & underkeel'd. The Left eare Two nicks on the under side of the eare, & One Nick on the Upper side Tho: Banks
Mark of
Cattle

Be it knowne unto all men th^t I Robert Kinsborne of the Ryuer of Patux^t Plant^r doe acknowledge to haue receaued of Daud Feriera Jun. (as his Attorney) bills to receaue. Tob. amounting to the full quant^y of nineteen Thowsand Two hund^d Twenty fye pownd of Tob. to be receaued of the s^d Deb^tto^{rs} as the Bills shall mention. And doe further bind mee, my heyres, Exequuto^{rs} & assignes, to give to the aboues^d Daud fferiera, or his Assignes, A trew & iust accompt, att such time or times, as the s^d Acc^t shall be demanded And further doe hereby bind my selfe, my heyres & assignes to take freight & ship such Tobacchos as shall bee receaued & sent to such port or ports as the s^d Daud fferriera or his Assignes shall appoynt or giue order for. I the s^d Daud allowing my Attorney Ten in the hund^d for the recauing & gathering in of the Tobacchoes. To this I the s^d Rob^t doe agree. Promising to be true & faythfull therein to the uttermost of my power. In wittnes th^t this is my . . . Act & Deed. I doe hereunto sett my hand Sealed & delivered in p^once of John Tenicke William ———

26 Aprill 1658

[Robert] K Kinsborne
Seale

Liber Francis Brooks entreth Caueat agst Phillip Conner who detaineth
 P. C. R. certain Cattle belonging to the s^d Brooks, keeping them in his possesⁿ
 p. 22 contrary to right & equity.
 Brooks v. Conner

April 24 George Goodrick hauing marryed Vrsule the Relict of Cap^t Will^m
 Re Lewis Lewis, Deceased demandeth l^rēs of Adm̄istraōn upon the Estate of
 Estate the sayd Lewis.

This day came George Goodrick of Portobacco in the prouince of Mary Land & acknowledged himselfe indebted, to the L^d Proprietary of this prouince in the summe of Twenty Thowsand pownds of Tob & cask. in case he doe not make, or cause to bee made a true & p^efect Inuentory of all & singular goods, chattles & debts of Cap^t Will^m Lewis deceased, w^{ch} shall or may come to his hands, possesⁿ or knowledge. Nor the same doe exhibite into the Office for Probate of Wills, & graunting Adm̄istraōns before the first day of September next, unlesse uppon iust demand longer time be graunted him by the Secretary. Nor the same goods chattles & debts, doe well & truly adm̄ister, That is to say doe not pay the debts of the s^d deceased, w^{ch} hee did owe att his decease as far as the s^d goods, chattles & debts will extend, & the Law charge him. Or if hee shall not make a true & iust accompt of & uppon his sayd Adm̄istraōn when hee shall bee therto lawfully requyred. Or shall not distribute & dispose the remainder of the s^d goods & chattles, w^{ch} shall be fownd uppon his s^d accompt, examined & allowed in the s^d Office, in such manner & forme, as shall be limitted & appoynted by the Judge or Judges appoynted or authorized in th^t behalfe. And in case any Last will & Testam^t of the Lewis shall appeare & the Exequuto^e or Exequuto^{es} therein named doe exhibite the same making request to haue the same approued accordingly, Then if hee doe not after request to him lawfully made render & deliuer up his L^rēs of adm̄istraōn into the s^d Office. Or shall not att any time acquitt, discharge & saue harmesse the Secretary & all other Officers impowred to the graunt of L^rēs of Adm̄istraōn agst all persons hauing or pretending to haue any right, tittle, or Interest in & to the s^d goods, chattles, & debts.

Recognit Corà me Will^m Bretton

George Goodricke

L^rēs Adm̄istraōn to George Goodrick.

Cæcilius absolute Lord & Prop^e of the prouinces of Maryland & Avalon, Lord Baron of Baltemore &c: To George Goodrick of Portobacco in Charles County. Who hath lately marryed Vrsula the Relict of Cap^t Will^m Lewis. Greeting. Whereas Will^m Lewis late of this prouince Deceased dyed wthout any Will . . .

Giue & graunt unto yo^u the s^d George Goodrick of Portobacco in the County afores^d ffull power & authority to ad^mister All & singular the Goods Chattles & Debts of the s^d Deceased. And well & faythfully to dispose of the same. And to demand, collect, Leuy, & in legall manner requyre & receaue All, & all manner of Debt & Debts due, & owing to the s^d Deceased. And out of the Goods, Debts, & Chattles of the s^d Deceased w^{ch} haue, may, or shall come to yo^e hands or possesⁿ well & truly to pay the Debts due by the s^d Deceased, soe far forth, as the same shall therto extend, & the Law will charge you, according to the true ualew & summe thereof. You hauing first taken yo^r Oath well & truly to ad^mister the same. And to make or cause to bee made a True & perfect Inuentory of All & singular the goods Chattles & Debts of the s^d deceased, w^{ch} haue, may or shall come to yo^r hands, possesⁿ or knowledge & allsoe a true & iust Acc^t, in & concerning yo^r Ad^mistration therein. And to exhibite both into the Office for Probate of Wills and Graunting Ad^mistraōns lawfully authorized, Touching w^{ch} Inuentory yo^u are assigned to performe att or before the first day of 7^{ber} next, ensuing. And an Acc^t when yo^u shall be therto lawfully requyred. And lastly wee doe hereby constitute, ordaine & appoynt yo^u the s^d George Goodrick Ad^mistrato^e of All & singular the Goods, Chattles & Debts, of the s^d Deceased. Gyuen att S^t Maries under the Great Seale of Our Prouince of Maryland this 24 Aprill in the 26 yeare of our Dominion ouer the s^d prouince of Maryland, Anoq Dñi. 1658. Witness Our Secretary of Our s^d Prouince

Liber
P. C. R.
p. 23

Philip Caluert S^{ecr}.

Thomas Jackson recordeth his marke (Viz) Both eares under-keeled, downe to the roote of the eares.

Tho: Jackson's Mark

A perfect Inuentory of the Cattle gyuen in by Rob^t Troope, att the request of Raph Crouch, Belonging to the stock of M^{rs} Vrsula Goodrick, according to the best of his knowledge. Imp^e 5 Cowes one heyfer & one bulchin of — 2 yeares old. 3 yearling Cowe Calfes. one yeareling Bull Calfe 5 heyfers of — 3 yeares old.

12 April
Re Lewis
Estate

All these fores^d Cattle came of Two Cowes exchanged by Cap^t Will^m Lewis wth M^r Job Chandeler for Two Cowes, th^t were gyuen into the hands of Ralph Crouch, (for the use of his beloued Wife Vrsula Lewis) & one heyfer brought from S^t maries to Portobacco

Rob^t + Troope
marke.

Wittnesseth George Goodrick Thomas Jackson.

p. 24

Liber P. C. R. April 24 This inven- tory is ac- cording to the order of the pre- tended com- mis ^{is} Court Vacat.	An Inuentory of the Estate of Cap ^t Will ^m Lewis Exhibited by George Goodrick, Adm̄istrato ^e &c:	
	Imp ^e 14½ ¹ pewter att 10 ¹ p ^e pownd	145.
The Inven- tory accord- ing to his Lres of Ad- m̄istraōn 24 Aprill, 1658. Vide Infra fol. 72	One old feather bed & bolster	280
	One payre of great stilliards	200
	One old warming pan	030
	Two great iron Kettles crackd	150
	Two small iron potts	140
	Two payre of potthooks & two small hooks } made of an old hoope	023
	Three old iron-bownd payles	020
	Two gunns	450
	Two little old chests	050
	Two old Indian Matts	010
	One Crossecutt saw, one Ten ^t saw, one whipsaw all old.	150
	One hand Saw	020
	One Bare-Skin, & a halfe	030
	One Smal grindstone	040
	One old dryfatt made of boards, & a } forme of a Splitt plank	015.
	A Leafe of a smale table & forme made } by a Scuruy Carpenter	030
	A Pestle & drawing knife	056
	A Little old brasse Kettle, & a peice of } an old iunck	030
	a Childs' cheare, old, & an old straw bed & bolster	045
	An old smal brasse lamp, & a new pewter Cup	025
	An inch Awger, & a gimlet & a little } iron Skillett	050
	Three yowng Soves	480
	Fower Shoates of a quarter old	160
	70 Armes length Roanoke att 5 ^t	350
	Nine Cowes att—550 p ^e Cow	4950
	Six heifers att—500 p ^e Beast	3000
	Two heifers & a Bull att—200 p ^e beast	0900
	One Steere of 4 yeares old	0450
	Three Steares & a Bull att—350 p ^e Beast	1400
	Eight Calues a yeare old in May or } thereabouts att 240 p ^e Beast	1920
Som̄ Totalis		15619.

Wee whose names are heare underwritten were the Apprayers
of this aboue mentioned Estate

Henry Addames

p. 25 Will^m Bretton Gentⁿ demandeth of George Goodrick Adm̄istrato^r
Bretton v. of the Estate of Cap^t Will^m Lewis 8^t Beauer.
Goodrick
Admin.

Philip Hide demandeth warr^t agst Stephen Gary in an accōn of Debt. Liber
P. C. R.
Hide v.
Gary

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret. next prouinciall Court, to bee holden att S^t Leonards 26 Aprilis.

John Chearon demandeth warr^t agst Antony Le Compt in an accōn of the Case. Chearon v.
Le Compt

Warr^t to the Sheriffe of Caluert County to arest &c: Ret. ut Suprà

Cap^t Thomas Cornewaleys demandeth warr^t agst Philip Land in an accōn of Debt. Cornwaleys
v. Land

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret. ut Suprà

John Lord p^e Attornato, James Gaylourd demandeth warr^t agst Thomas Gerard Esq^r in an accōn of Debt to the ualew of 1000^t Tob. April 25
Lord v.
Gerard

Writt to the Sheriffe of S^t Maries County. Ret. next Pro: Court to bee held in Caluert County, 8^o Septemb^r next.

James Gaylourd the Assignee of Peter le Pheybour demandeth warr^t agst Cuthbert Phelps in an accōn of Debt of 1500^t Tob. Gaylord v.
Phelps

Warr^t to the Sheriffe of Ret.

Cap^t Will^m Euans recordeth his marke, (Viz) The Right eare underkeeld & Slitt, The Left eare Slitt ouer & under, in manner of a flowre de Luce. Capt Evans
Mrk Vid.
fol. 117^o

Robert Thomas recordeth his marke (Viz) Crop'd, & ouer & under keeld' both eares. Robt.
Thomas Mrk

Cæcilius Absolute Lord & Proprietary of the Prouince of Maryland & Aualon &c: To the Sheriffe of the County of S^t Maries Nicolas Gwyther Gentⁿ These are to will & requyre yo^u to summon the ffreemen of yo^r County to come to the usuall places of meeting upon the 10th of Aprill next ensuing the date hereof. Then & there to choose fitt men to bee their Deputies, To sitt in an Assembly, to be holden att S^t Leonards Creek on the Seuen & Twentith of Aprill next ensuing. Where yo^u are to make returne of this yo^r warr^t Gyuen att Patux^t this 24th march in the 26 yeare of Our Dominion, & in the yeare of Our Lord 1657 Wittness Our Leiten^t of Our Prouince of Maryland. Summons to
elect an As-
sembly. Vide
1 Md. Arch.
369

Josias ffendall

Liber
 P. C. R. Endorsed on } The ffreemen of S^t Maries County mett, accord-
 the Back Side } ing to the tenure of this writt, att their usuall places,
 & haue chosen, ffor S^t Maries hund^d M^r Rich: Willan:
 ffor S^t Inegos hund^d Cap^t Tho: Cornewalleyes.
 ffor S^t Michaels hund^d M^r Will^m Lucas & M^r
 George Mee
 ffor New Towne Cap^t Will^m Euans, & M^r Zachary
 Wade
 p. 26 for S^t Clements hund^d M^r James Langwoth
 & ffor Charles County M^r John Hatch.

Test. Nicolas Gwyther Sheriffe

Idem to John Coursey Sheriffe of the County of Kent. Endors.
On the Back Side

The ffreeman of Kents election of One Burgesse or Delegate the
7th Aprill 1658 (Viz) M^r Philip Conner by a ffree & generall con-
sent subscribed thereunto according to the tenure of the s^d Summons
or w^ritt.

Test. John Coursey Sheriffe &c Kent.

Idem to John Norwood Sheriffe of the County of Anarundel.
Endorsed. The ffreemen of Anne Arundell County mett together
according to the tenure of this writt, & the Maior part gaue their
free notes, for Cap^t Will^m Fuller M^r Edward Lloyd, & Cap^t Will^m
Ewen to be Burgesses for this Assembly.

Test. John Norwood Sheriffe

Idem to Will^m Coursey Sheriffe of Caluert County. Endors.
The ffreemen of this County mett together, according to the Tenure
of this writt & the Maior part gaue their free notes, for M^r Richard
Preston, M^r Michael Brookes, M^r Rich: Smith, & M^r Woodman
Stockley to be Burgesses for this Assembly

Test. Will^m Coursey Sheriffe.

Thos. Tick-
 nor Power
 of Attorney To all Poeple to whom this p^ent writing shall come, I Thomas
 Ticknor of London Grocer send Greeting. Whereas Edmond
 Berkeley of London merch^t was the Factor of me the s^d Thomas
 Ticknor & Isaack Gardiner of London merch^t in Maryland & Vir-
 ginia & receiued seuerall goods from us w^{ch} were by him sold,
 bartered, & disposed of for our uses. And whereas the s^d Edmond
 Berkeley, in & by a writing under his hand & Seale of the date
 hereof, Hath acknowledged th^t the seuerall goods, Tobaccoes, Bills
 & Debts mentioned in a Scedule to the same writing annexed (a
 Coppey whereof is hereafter inserted) are the proper goods & Debts
 of me the s^d Thomas Ticknor, according to a diuision made betweene
 the s^d Edmond Berkeley, & John Wade my Attorney hereafter
 named, thereunto appointed by us the sayd Thomas Ticknor, &
 Isaack Gardiner & were left by the s^d Edmond Berkeley in the

hands & custody of Zachary Wade of Maryland Planter, till further Order should be giuen about the same. Now know yee That I the sayd Thomas Ticknor haue assigned, ordeyned & made, & in my stead & place by these p^{nts} haue putt & constituted the afores^d John Wade my true & lawfull Deputy, Substitute and Attorney. In this behalfe, for mee & in my name, & to my use to ask, demand, leuy, recouer & receiue, of & from the afores^d Zachary Wade his Exequuto^{es} or Adm^{ist}ra^{es}, & of & from all & euery the persons in the s^d Scedule perticularly named, the s^d seuerall quantities of goods, Tobaccoes, Bills, Debts & Things in the s^d Scedule perticularly mentioned & expressed. And allso all & euery other goods, Wares, Debts, merchandizes & things whatsoeu^e to me due, oweing or belonging, from any other person or persons whatsoeu^e in Maryland or Virginia afores^d, or eyther of them. Gyuing & by these p^{nts} granting unto my s^d Attorney by uertue hereof my full power & authority in the premises. And for default of paym^t of the s^d seuerall goods, Bills, Debts, and things afores^d in the s^d Scedule mentioned, or of any of them, or any part, or parcell thereof The s^d Zachary Wade, or all or any other the s^d persons, in the s^d Scedule perticularly named their Exequuto^{es} or Adm^{ist}ra^{es} or any of them, or all or any other person or persons whatsoeu^e in Maryland & Virginia afores^d or eyther of them, oweing or withholding any other goods, debts, or things whatsoeu^e, due or belonging unto me (if need bee) in my name to cause to be arrested, sued, & imprisoned & out of prison to deliuer, & pleas & prosecutions agst them eyther or any of them to susteine & meinteine according to the course of the Lawes. And to doe all such other lawfull & reasonable act & acts, thing & things whatsoeu^e, for recouery & receipt of the s^d goods, debts & things, afores^d, as my s^d Attorney shall thinke fitt, eyther by arresting, seizing, or attatching the s^d goods & Debts, or the goods & debts of any person or persons oweing or withholding the same, or otherwise howsoeu^e. And uppon any Receipt or recovery acquittances, or other discharges in my name to make, Seale & deliuer. And one Attorney or more under him to substitute & att his pleasure to reuoke. And further to doe, say, sue, implead, prosecute, compownd, end & agree in all & singular the premises, soe fully to all intents & purposes, as I my selfe could doe, if I were personally present. And all & whatsoeuer my s^d Attorney shall lawfully doe or cause to bee done in the premises, I doe ratify & confirme for firme & effectuall by these p^{nts}. In wittnes whereof I haue hereunto sett my hand and Seale the 14th day of Nouemb^r in the yeare of Our Lord God 1657.

Thomas Ticknor

The X Seale

Sig'd, Sealed & deliuered

in the p^{nce} of us

Lawrence Washington

John Anderton

Augustine Hull

Arthure Myles Scr.

Liber
P. C. R. This is the Scedule of the goods & Debts mentioned in the for-
p. 28 goeing Irē of Attorney, Remayning in the hands of Zachary Wade in
Maryland,

Imp ^r Oweing by Valentine Payton	0900 [†] Tob.
Thomas Ringe	0057
Richard Browne	1062
Will ^m Stephenson	0390
Robert Sheale	1200
John Price	0293
John Medley	0407
James Lindsey	0100
Thomas Prichett twist	0025
John Cornelius	0223
Will ^m Canada	0436
James Langworth	0105
John Shirleife	0795
Thomas Thomas	0091
M ^r Lawson rēcd	0342
Edward Packer	0125
John Jarbo rēcd one hogshead	0457
Will ^m Marshall	0075
Boate Sayles	0950
One payre of small stilliards	0060
Seauen payre of Ticking Bodies	0420
One payre of Ch. Stockins	0014
Eight payre of ft Stockins	0064
One p ^e of pack thread Bodies	0026
Thirteene p ^e of the lesser sort of Canwase Bodies	0390
Cap ^t Banks	0132
John Dodman	0400
Christopher Goodyar	0012
One hogshead putt on Shoare	0398

9948

118

Memorand^m there is to be deducted out of these
tobaccos 118[†] as a debt due to Cap^t Will^m Euans.

9830

Soe there rests due to m^r Ticknor but nine thowsand
Eight hund^d & thirty pownds weight.

Wittnes
Lawrence Washington
John Anderton
Augustine Hull.

Thomas Ticknor
Sea × le.

Att a Court held att St Leonards in the County of Caluert 27^o Aprill 1658.

Liber
P. C. R.
p. 29
April 27

Josias Fendall Esq^e Gour^r } M^r Thomas Gerard
Philip Caluert Esq^e Sēcr. } M^r Rob^t Clarke

Whereas Thomas Pendleton p^{tf} entred demand against Sampson Waring for Twelue hund^d pownds of Tob. James Dike Attorney of the p^{tf} desyres that James Couers may be examined uppon oath, touching the s^d demand And not being able to make the s^d demand sufficiently appeere, desyres Respise till next Court. And the defend^t requyres a new suite, & dammages for his molestaoⁿ, w^{ch} was Ordered, & granted to him by the Court.

Pendleton v.
Waring

An Appraysm^t uppon the Estate of John Dernall made by John Holfehead & George Gouldsmith, as followeth.

Re Dernall's
Estate

By one Bed tick of Canuas & one poore Ruge } & Bolster ticking & a payre of blanketts }	180
By one Small Chest & a Box	080
By one old Coate, wascoate & drawers	020
By some Bookes, some old pewter, two woodden dishes } one Anchor, a small Runlett, some Beads & a tub. }	050
By one iron pott	030
By one old gowne & petticoate, an old wascoate } & some other old ragges }	150
By one hatt	050
By a Case & some linnen	050
By a Bill due from M ^r Meese	150
By a Canow	100
	<hr/> 860 <hr/>

These things apprayed by vs aboue mentioned this 18th March 1657^o as wittnes our hands

John □ halfhead
George Gouldsmith

Debts due to John Dernall
ffrom M^r Stockeley 30^t Tob
ffrom George Newman 50
ffrom Abdelon Martin 55
ffrom Ismael Wright Two Empty hogsheads.
Allso some hoopes, & headding att Ismael Wrights.
Some Timber att Abdelon Martins Poynt.

Mary the Relict of John Dernall, brought this Appraysm^t & Inuentory into the Court, desyring to be discharged from it. And allso th^t the Credito^r might take the Estate, of her deceased husband,

Liber & distributing it amongst them, might pay themselues soe far as it
P. C. R. would amount. And M^r Richard Preston cheife & greatest Cred^r
came & declared in open Court that he freely forgauē the poore
Widow, what is due to himselfe from the s^d Deceased. And Proc-
lamaōn being made for the other Cred^{es} to enter & make their
demands. Will^m Berry one of the Cred^{es} demanded fowre hundred
& Seauenty pownds of Tob. out of the s^d Estate. And Certaine
Coopers Timber att Abdalon Martins poynt, belonging to the De-
ceased is allowed him in Satisfaction of his sayd demand. The other
Cred^{es} came into Court, allso, & willingly forgauē all their Debts.
And the Relict is there uppon by Order of this Court discharged
from all claimes & Debts touching that her Estate.

Coursey v. Baysey Uppon the demand of Henry Coursey p^{tf}. agst Michael Basey
dēft. The p^{tf} not appearing but only by his Attorney John Coursey.
& the demand being aboutt Accompts, & something intricate. It is
therfore respited till next Court, untill M^r Henry Coursey be him-
selfe present in Court.

The Court Adiorned by the Gou^e till to morrow morning att 9
clock

Johnson v. Penny Michael Baysey sayth uppon oath (att the request of Henry
Penny) att th^t time, when Cap^t Stone went up to Seauerne: Corne-
lius Johnson & Henry Penny lyued att this Dep^{ts} howse. And often
during their abode there, w^{ch} was about fīue weekes, those still
iarred about their accounts, W^{ch} this Dep^t seeing, he desyred them
to come to an agreem^t in their accounts, w^{ch} they did, & Cornelius
was indebted to Penny 600^t & some odde Tob. the iust odde this
Dep^t cannot now remember, & was contented & promised to giue the
s^d Penny his Bill. But uppon the suddaine goeing up to Seauerne,
the Bill was neglected, & not gyven. & further uppon this agreem^t
(they being before Mates) parted their Estate betwixt them. And
the Shallop fell to the share of Cornelius, hee taking it uppon him-
selfe, discharged the s^d Penny, And had there not bene an account
betweene M^r Tho: Thomas & Henry Penny, where the s^d Cornelius
had disposed of some of the Tob. due to Penny from the s^d Thomas
p. 31 the s^d Cornelius had passed his Bill to him presently, & it had not
bene deferred.

Joane the Wife of Michael Baysey deposeth idem quod suprà &
further addeth That Cornelius was to take the Bill, belonging to M^{rs}
ffenwick & make it his owne debt, & cleare the s^d Penny frō it.

April 28

Aprill 28^o P^{ent} as yesterday (Viz)

Josias ffendall Gou^r } M^r Thomas Gerard } aferwards came
Philip Caluert Secr. } M^r Rob^t Clarke. } Coth John Price
And as Assistants to the Councell, by appoym^t } M^r Baker Brooke
from the Gouerno^r & who were Called by him } M^r Nathan: Vtye.

To the hon^{bte} the Gouverno^r & Councell The humble Petⁿ of
 Thomas Daus. Sheweth

That whereas one Elizabeth fframe, yo^r Pet^{es} seruant, did in Decemb^r last sue yo^r Pet^r for her enlargem^t Alleaging th^t shee the s^d fframe was ffree: Att w^{ch} Court, it was ordered th^t the s^d fframe was to bring prooffe of her s^d ffreedome, att the Court in March next following, otherwise to make good, such dammages to yo^r Pet^r as yo^r Pet^r should then make appeare th^t hee had susteyned. And the s^d Elizabeth hauing not made any thing appeare, yo^r Pet^r humbly craveth the benefitt of the s^d Order. And th^t the s^d Elizabeth may by Order from this Court be restored to yo^r Pet^{rs} seruice, to serue according to her Condiçōn or Indenture, Crauing Costs of suite, & Consideraōn for her absence, & losse of time, as this Court shall thinke meete.

And yo^r Pet^r shall pray &c:

Know all men by these p^{nts} th^t I John Hawkins of New England Marriner haue sold unto Thomas Daus One Mayd seruant for three yeares, her name is Elizabeth fframe & shee doth promise & bind herselfe to serue the s^d Daus, his heyres or Assignes truly, the full tearme of time aboue mentioned, & for the true p^eformance hereof, the sayd Hawkins is to giue her a Cow Calfe, as speedily as hee can, & to the true p^eformance hereof wee haue hereunto sett o^e hands, Nouemb^r the 8th day 1656.

Wittnes us

Thomas Nadey.

John Hawkings

Eliz. ū ū fframe.

Uppon the Petⁿ of Thomas Daus agst Elizabeth fframe. The s^d Daus alleaging th^t the s^d Elizabeth had time remayning of her seruice to him. Elizabeth the Dēft replyeth th^t she hath not receaued of her master according to Couen^t & further th^t shee was a seruant, when shee made That latter Condiçōn wth the s^d Daus, as appeareth by the Oath of Adam Staueley uerifying the same uppon p. 32 Oath in open Court. The Court therfore Judgeth th^t the s^d Elizabeth bee sett free from the s^d Daus, wthout further Obligaōn of Seruice. And the s^d Daus is left to have his dammage agst John Hawkings, who made the Condiçōn. Concerning the s^d Elizabeth, wth the s^d Daus, & Soe Ordered accordingly.

And the s^d Elizabeth Clayming Cloathes according to the custome of the Country. It is Ordered likewise th^t the s^d Daus shall pay her Cloathes, according to the Custome of the Country, uppon Demand, as being her last Master.

Uppon the demand of Will^m Dorington pff agst John Cornelius Dorington v. Cornelius dēft in an accōn of the Case. The Dēft being bownd by Condiçōn to prouide & deliuer to the pff an able man seru^t hauing fowre yeares to serue, or a likely Boy for tearme of yeares according to the

Liber
P. C. R. Custome of the Country; w^{ch} Condiçōn is allready performed by him, as hee alleageth. And the p^{tf} likewise confesseth that the Dēft hath tendred him a Boy; w^{ch} Boy hee shewed in Court. The Court thereuppon Ordered that the p^{tf} receaue that Boy now tendred him; & th^t the dft bee discharged from his s^d Obligaōn.

Roberts v.
Hambleton Uppon the Petⁿ of Margaret Roberts p^{tf} agst John Hambleton dēft. The p^{tf} in her Petⁿ alleageth th^t shee is free, & th^t her Master seeks to detain her, & make her serue longer time; & wth all uery often striketh her. All w^{ch} the dēft denyeth, & desyreth Respite till next Court to proue his allegaōn. And the Court Ordered that this Cause bee respited till next Court, & the p^{tf} to returne to her Masters the dēfts howse & there to liue till next Court as afores^d. The dēft is likewise charged th^t hee use her well & not strike her. And if soe bee, the p^{tf} att the next Court be adiudged free, the dēft her Master is to pay her dammage & consideraōn for this her time of Seruice.

Ouerzee v.
Cornelius Uppon the Petⁿ of Symon Overzee p^{tf}, agst John Cornelius deft, for futeene hund^d pownds of Tob, due by Bill, & his owne proper debts, & Three Thowsand nine hund^d more by assignm^{ts} from M^r Emperour, and Cap^t Will^m Euans. The dēft sayth th^t he hath satisfyed some small thing of his owne proper debt, due to the p^{tf}, & as to the assignm^{ts} that they were deliuered & made ouer wthout his priuity & consent. The Court Ordered th^t the p^{tf} satisfy unto the dēft Thirteene hund^d pownds of Sweet sented Tob, wthout grownd leaues in Cask, & one hund^d fifty six pown^{ds} more for dammage (as his owne proper debt) of the like condicōned Tob.

p. 33
Ashcomb v.
Johnson Gwy White examined Sayth uppon oath, th^t M^r John Ashcomb sold a Cow unto Cornelius Johnson. W^{ch} uery Cow hee the Ashcomb sold againe to Abdelo Martin & further sayth th^t M^r Ashcomb profered to sell that Cow, to him this Depon^t. Ishmael Wright examined sayth uppon Oath, that Abdelo Martin to this Depon^{ts} knowledge went ouer to M^r Ashcombs, to desyre a release from a Bill wherein hee was ioyntly bownd wth his mate Cornelius, for a Cow unto the s^d Ashcomb. W^{ch} the s^d Abdalon not effecting the s^d Abdalon came to a new agreem^t wth M^r Ashcomb concerning th^t Cow, & bought her wholly to himselfe, & passed his Bill to the s^d Ashcomb for th^t purpose, as the s^d Abdalon told this Depon^t.

Uppon the demand of John Ashcomb p^{tf}, agst Cornelius Johnson deft for Seauen hund^d pownds of leafe Tob. wth Cask, due by Bill, The dēft acknowledgeth it to bee his Bill. It is therfore Ordered, th^t the dēft satisfy Seauen hund^d pownds of Tob & cask, (as hee hath acknowledged) uppon demand.

Ouerzee v.
Thomas Know all men by these p^{nts} th^t I Daud Thomas of the prouince of Maryland doe acknowledge a Judgm^t for fowre hundred & odde

pounds of Tob. according to the tenure of my Bill unto M^r Symon Ouerzee as wittnes my hand, Aprill 8, 1658

Liber
P. C. R.

Dauid Thomas

Wittnes

Nicolas Gwyther.

Uppon the demand of Symon Ouerzee p^{tf} agst Dauid Thomas dēft. in an accōn of Debt. The dēft acknowledging a Judgm^t under his hand in writing, for fowre hund^d & odde pounds according to the tenure of his Bill. And the Bill being fowre hund^d fifty & fiue pounds Tob, in cask. Ordered th^t a Judgm^t be entred according to the Bill for fowre hund^d fifty, fiue pounds Tob, in Cask, & according to dēfts acknowledgm^t to be satisfyed & payd unto the p^{tf} uppon demand.

Uppon the Petⁿ of James Mullekin p^{tf} agst Henry Coursey dēft; The Dēfts Attorney John Coursey, not hauing notice or knowledge concerning this Cause, desyres a Respite till next Court w^{ch} was Graunted.

Mullekin v.
Coursey

Uppon the demand of Cap^t Tho: Cornewalleys p^{tf} agst Samuel Parker dēft, in an accon of debt. Nicolas Gwyther Sheriffe, desyres a Respite till next Court on the behalfe of the dēft, w^{ch} was allso granted him.

Corne-
walleys v.
Parker

Know all men by these p^{nts} th^t I John Thomkinson of the prouince of Maryland, doe acknowledge a Judgm^t unto Thomas Cornewalleys Esq^r for a Bill due unto the s^d Cornewalleys, as wittnes my hand

p. 34
Corne-
walleys v.
Thomkinson

Aprill 9th 1658

John † Thomkinson

Wittnes

Nicolas Gwyther

Will^m Hatton.

Uppon the demand of Cap^t Thomas Cornewalleyes p^{tf} agst John Thompkinson dēft in an accōn of debt. The dēft acknowledgeth (under hand writing) Judgm^t for a Bill. But noe mention made of the summe. Whereuppon the p^{tf} produced the Bill, w^{ch} is fowre hund^d & forty pounds of Tob. & cask. Ordered th^t Judgm^t be entred according to the s^d Bill.

Uppon the demand of Cap^t Thomas Cornewalleys p^{tf}. against George Gooderick, (Adm^{istrato} of the Estate of Leiu^t William Lewis deceased) dēft; for fiuteene pounds of Beauer, the Remainder of a greater summe. The p^{tf} producing the Bill, & the Adm^{istrato}, not able to alleage anything agst the same. It is therfore

Corne-
walleys v.
Gooderick

Liber Ordered th^t Judgm^t be entred agst the dēft, on the behalfe of the p^{tf}
P. C. R. for fueteene pownds of Beau^e according to his demand.

Lawson v. Whereas John Lawson p^{tf} att a Court held att Patux^t 24^o Aprill
Goodrick 1655 made appeare th^t Leiuten^t Will^m Lewis was indebted vnto the
p^{tf}, By specialty in the summe of Six hund^d & Eighty pownds of
Tob. & Cask & a Beauer Skin, (as appeareth in the s^d order) The
Adm̄istrato^e of the s^d Lewis, not pleading att all to the Contrary.
It is Ordered that the p^{tf} haue Judgm^t, agst the Adm̄istrato^e, accord-
ing to the former Order, & as is demanded.

Eltonhead v. Uppon the Petⁿ of M^{rs} Jane Elltonhead ffenwick p^{tf}, agst Henry
Pope Pope dēft; shewing th^t the dēft layeth Claime to the p^{tf}s marke,
wherewth she useth to marke her cattle, & allso hath killed a Steere
belonging to the p^{tf}, as shee alleageth. Respited till next Court.

Ferriera v. The Crosse Accōns of Daudid Ferriera, & Docto^e Lumbrozo.
Lumbrozo Both accōns Respited till next Court.

The Court adiorned by the Gouverno^e till Afternoone.

Re Estate of M^r John Hatch Sayth uppon Oath, th^t M^r John Ashcombe did
Dandy acknowledge before this Dep^t, An Account, belonging to John
Dandy to bee due. But what the summe was he knoweth not.

p. 35

April 28^o Afternoone, All present as afore.

Trueman v. Uppon the Petⁿ of Thomas Truman p^{tf} agst Will^m Stephenson
Stephenson dēft, the p^{tf} alleging that the dēft deteynes from him on thowsand
pownds of Tob, & 3 barrells Corne for the hyre of a Seruant &c:
This Cause as put to Arbitraōn & ended betwixt themselues.

Boreman v. Will^m Samford aged 20 yeares or thereabouts att the request of
Brookes Will^m Boreman Examined & deposed sayth. That about Two yeares
agoe, hee this Dept. then lyuing wth ffrancis Brooks, Heard the s^d
Brooks, say, That he had disposed of one hogshead of Tob, w^{ch} hee
affirmed hee did take away & dispose of wthout Edward Cloxstons
consent: Because (as hee alleaged) the s^d Claston, was indebted to
him the s^d Brooks, in the like, or a great quan^{ty} And further he
affirmeth th^t hee heard the s^d Brooks, confesse, or say the same wthin
this Two monthes, & further sayth not.

Jurat Cora me Will^m Bretton,
April 24, 1658

Will^m Samford

Uppon the Petⁿ of Will^m Boreman p^{tf} agst ffrancis Brooks dēft,
Shewing th^t the dēft came & tooke away one hogshead of Tob, out
of the howse of Edward Claxston, w^{ch} s^d Tob was made ou^e to the
p^{tf} for security of a Debt, due from the s^d Claxston Alleging further
that the Tob, soe taken away by the dēft, was struck by him the s^d p^{tf}
into a hogshead: & the hogshead allso being marked by him the s^d

plfe as afores^d. The dēft not appearing, nor any lawfull Attorney from him, It is therefore Respited till next Court. Liber
P. C. R.

The p^{tf} produced Three Bills of the dēfts. One for one thowsand twenty three pownds Tob. Another for Three hun^d pownds Tob. & another for one Thowsand pownd of Tob. in all 2323^t wth cask. All w^{ch} are acknowledged by the dēft, But the dēft alleageth, That the Bill for 1000^t Tob. was for Land, W^{ch} Land the s^d Boreman p^{tf} was contented to take againe, soe th^t the dēft payd unto him one hogshead of Tob. or Two Barrows, And the paym^t of a hogshead of Tob, to that end appearing by the Oath of Christopher Joanes. The Court doth order that the p^{tf} doe abate the Bill for 1000^t Tob. & th^t the dēft pay the remaynder (viz) one thowsand three hund^d twenty three pownd Tob. in Cask, to the p^{tf} uppon demand. William
Boreman v.
John Chare-
man

By the Lieu^t Gra^l of the Prouince of Maryland. Proclamaōn To auoyd all Inconueniences w^{ch} may hereafter arryse wthin this prou-
ince Concerning Attorneys, I doe hereby declare to all persons, That
noe person whatsoeu^e shall bee allowed & iudged an Attorney, w^{ch}
shall not shew & make appeare such his deputaōn under hand writing,
in any Courts of this prouince. Gyuen in the Prouinciall Court att
S^t Leonards 28th day of Aprill 1658. Proclama-
tion as to
Attorneys

p. 36

Josias ffendall.

Symon Ouerzee p^{tf} complayneth agst M^{rs} Jane Eltonhead for deteyning certaine Cattle in her possesⁿ & belonging to the s^d Ouerzee alleaging great dammage susteyned by him for want of the s^d Cattle. The dēft acknowledgeth th^t shee hath some such cattle in her possesⁿ It is therefore Ordered th^t the dēft immediately deliuer, or cause to be deliuered unto the p^{tf} All such cattle, w^{ch} shee hath now in her possesⁿ, or can, or may deliuer unto him, & w^{ch} are yett lyuing. And as to those cattle w^{ch} were in her possesⁿ & are dead; The dammage therfore for the cattle wanting and their encrease, is to be Respited, & Determined att the next Prou: Court. Ouerzee v.
Eltonhead

Uppon the Petⁿ of John Chareman p^{tf} agst Will^m Boreman dēft, Respited till next Court. Chareman v.
Boreman

Uppon the demand of Phillip Land p^{tf} agst Will^m Eale dēft, for 2922^t Tob. Respited likewise till next Court. Land v. Eale

Uppon the Demand of Phillip Land p^{tf} agst Rob^t Sheale dēft in an accōn of Debt, for 1360^t Tob. Respited allso till next Court. Land v.
Sheale

The deposⁿ of John Caruell aged about 23 yeares examined & sworne this 10th of May 1657, Sayth, That M^r John Wade made Couent to & wth will^m Woodrofe, & That the s^d Woodroffe was to serue the sayd M^r Wade a compleat tweluemonth after his cure of Wade v.
Woodroffe

Liber that disease he then had. And then after the s^d Woodroffe had
P. C. R. served the sayd Wade his time aboues^d Then he to haue for his s^d
service Eleauen hund^d pownds of Tob. a cloath suite, & a Canuas
suite, & shirts, shooes & stockins. And further sayth That Wood-
roffe was in a Course of phisick, some time in March. And the s^d
Woodroffe went out of M^r Wades service, in January following:
But the s^d Wade told him he was not then free of his service, &
forewarned him of goeing away, or to th^t effect, & further Sayth not.

John Wade p^{tf}, declareth by Petⁿ how th^t he entred into Condiçōns
wth Will^m Woodroffe dēft (about Decemb^r 1655) to cure the s^d
Woodroffe of the malady wherewth he then was diseased, & to giue
him the s^d Woodroffe Eleau^e hund^d pownds of Tob, One Cloth suite
& one Canuase suite, Two shirts Three payre of shooes, & Two payre
of stockins. In consideraōn whereof the s^d Woodroffe was to serue
the p^{tf} one compleat yeare, after the effecting of the s^d cure. But the
p. 37 s^d Woodroffe dēft hath not only neglected the performance of the
condiçōn of service, for the effecting & perfecting the cure by the p^{tf}
uppon the dēft, But allso during the p^{tf}s absence, by illegall, sinister
Vide 10 Md. wayes & proceedings att a Court held att Patux^t 21 March 1656,
Arch., 496 obteyned iudgm^t & exequuōn thereon followed, agst the p^{tf}. This
Cause putt to a Jury warr^t to the Sheriffe to empannell a Jury of 12
men wthout delay. John Wade Chyrurgeon sayth uppon oath in open
Court, That when hee gaue Will^m Woodroffe That last physick, hee
gaue it him for the p^efecting of th^t cure. And by reason of the hard
winter, hee could not effect it sooner. This Potion, hee cannot
swear to a day when it was gyuen him only he uerily thinketh, th^t it
was neare about the middle of March.

Sheriffe returneth his warr^t & warned

foreman	{	Symon Ouerzee	{	Walter Hall	{	James Lindsey
		Sampson Warren		Robert Taylor		Peter Joy,
		Philip Land		John Odber		Timothy Goodrick
		Walter Pakes		John Ashcomb		James Veitch,

The Jury brought in their Verdict in writing (Viz) The Jury
finds for the p^{tf}, Six weeks service, from the deft: wth three hund^d
pownds of Tob. W^{ch} Tob. the dēft illegally obteyned, by false in-
formaōn gyuen to the late Court, And for the p^{tf}s dammage Wee
humbly leaue it to the Court, Ordered, that the Verdict of the Jury,
bee entred for the Judgm^t As to the dammage & the Verdict of the
Jury together, It is Ordered by the Court That the dēft shall serue
the p^{tf}, One whole yeare from this day; or giue in security to pay
to the p^{tf} Two Thowsand pownds of Tob this next ensuing Crop,
And the p^{tf} is to pay the dēft, Cloathes, shirts, shooes & stockins,
according to his Coven^t

Hide v. Gary Uppon the demand of Philip Hide p^{tf}, agst Stephen Gary dēft
for Two Thowsand pownds of Tob.

James Veitch sayth uppon oath in open Court, that there was an agreem^t made betwixt Phil: Hyde, & Stephen Gary for 300 Acres of Land, And that Philip Hide, did confirme the s^d Land unto Stephen Gary, Whereuppon the s^d Gary passed his Bill for 5000^t Tob, to be payd uppon demand to the best of his remembrance.

Liber
P. C. R.
Vide Philip
Hides Bill of
Sale, infra
fol. 95

Thomas Seymour allso declareth uppon Oath, That, concerning the former bargaine, the p^{ff} could not performe his Couen^t And thereuppon the dēft would not pay the Tob. to the p^{ff}, yett after M^r Reuell agreed to giue to the p^{ff} 3000^t Tob. & gett the Land how hee could.

John Ashcomb likewise sayth uppon Oath That hauing conference with Randall Reuell, the s^d Reuell told this Depon^t th^t he had bought halfe of the s^d Plantaōn, And th^t hee would send up seruants—hands—to plant uppon it. And further he doubted not, but to make his peace, wth his L^{ps} Officers here.

Wherefore it was considered by the Court uppon this & other euidence That the s^d Gary & Reuell are partners in the Land, And th^t the rather because the dēft confesseth, th^t Reuell did deliuer up the former Condi^cōn made betweene him the s^d dēft & the p^{ff} w^{ch} unlesse hee were partner wth Gary would not haue left in his hand. It is therfore Ordered that the dēft (Randall Reuell lyuing in Accomack) pay to the p^{ff} Seuen hund^d fowrteene pownds of Tob, the remainder of the demand.

p. 38

Uppon the demand of Daudi fferiera p^{ff}, agst John Tunnis dēft for three hund^d seauenty two pounds of Tob. The Dēft acknowl- edgeth Three hund^d fifty six pownds of Tob. & hath putt in M^r Thomas Belcher security for the s^d three hund^d fifty six pownd as afores^d w^{ch} Rob^t Kingsberry the Attorney of the p^{ff} hath accepted.

Feriera v.
Tunnis

Uppon the demand of Thomas Hussey p^{ff}, agst John Hammond dēft for one thowsand three hund^d pownds of Tob. in cask, Anne Hammond the dēft Attorney, being lawfully warned, & not appearing & John Lewger the p^{ffs} Attorney, being indebted unto the dēft, for one hund^d thirty fowre pownd of sugar, desyres th^t he may ballance that debt of sugar wth the Tobacco w^{ch} is due from the dēft to him, And uppon default of the dēfts Attorney not appearing, uppon her lawfull summons, as was uerified, It is Ordered th^t the p^{ff}, shall recover agst the Estate of John Hammond, husband to the sayd Anne whose Attorney shee is, one thowsand three hund^d pownds of Tob. according as is mentioned & specified in the dēfts Bill.

Hussey v.
Hammond

The Court adiorned by the Gouverno^e till to morrow morning 8 clock.

Liber
P. C. R.
1658
April 29
Evans v.
Gerrard

Thursday 29^o Aprilis, 1658

All Pn^{et} as yesterday (Except M^r Nathaniel Vtye.)
To the hon^{bte} Josias ffendall Esq^r Leiuten^t & Gou^r of Maryland.

The humble Petⁿ of Will^m Euans.

Sheweth.

That about two yeares agoe, One Anne Browne possessed Certaine cattle in her life time & lyued in yo^r Pet^{rs} howse, W^{ch} s^d cattle, the s^d Anne did lett out to her father in Law, But the s^d Anne comming to dye, distributed all her s^d cattle to diuers persons as Legacies, as by her will appeareth, Amongst w^{ch} shee bequeathed One Cow, and her encrease to yo^r Pet^{rs} wife, W^{ch} Cow being then att her fores^d father in Laws plantaōn & on M^r Gerard Manno^e The s^d M^r Gerard hath wrongfully taken th^t s^d Cow, as his owne, & still deteynes the same from y^r s^d Pet^r & his Wife, Making diuers strange pretences, & allegaōns both of the marke & other; whereby to wrest the same to his owne use & warrant the Detineu thereof, Neyther could yo^r Pet^r euer bring the s^d M^r Gerard to any Legall tryall therein, Hee
p. 39 still making some euasion or other, for to iustify his not appearing: w^{ch} hath putt yo^r Pet^r to much costs, charge, and dammage, Agst all w^{ch} pretended allegaōns of M^r Gerard, yo^r Pet^r by diuers Oathes formerly taken concerning th^t p^{ticular} Beast, is ready to produce the same, Prouing & confirming yo^r Pet^{rs} iust Right & Tytle therto, in behalfe of his s^d Wife, The premises considered, yo^r Pet^r humbly Craueth th^t hee may bee possessed wth the s^d Cow & her encrease, & allowed for his Costs & hinderance therein, according to the usuall presidents of this prouince & hee shall euer pray &c:

Uppon the Petⁿ of Cap^t Will^m Euans, agst Thomas Gerard Esq^r concerning his the s^d Gerards deteyning a Cow, & her encrease w^{ch} the Pet^r sayth doth belong unto him, on the behalfe of his Wife, Thomas Gerard dēft in answere sayth, That he fownd a Cow in the myre & pulling her out & veiwing the mark, he fownd th^t shee was marked wth his mark, & thereuppon deteyneth her-hauing formerly lost some cattle, & about the Age of th^t Cow, And wth all, threw downe uppon the Table both the Cowes eares, & the eares of a swine, cutt of, for the Court to iudge of the resemblance & nearness of both marks.

Vide De-
pos^{ns} supra
pp. 16 & 17

The Depos^{ns} being reueiwd & read in open Court & the euidences appearing cleare, The Opinion & Judgm^t of the Court is, That the marks are not directly the same, & That the Cow in dispute is Cap^t Euans Cow, It is thereuppon Ordered That the Cow, now in dispute as a-fores^d wth her encerease be to the s^d Cap^t Euans.

As to the Costs & dammages The Pet^r Craueth a Jury to consider thereon, w^{ch} was graunted.

In the meane time the Gouverno^e adiorned the Court for a while warr^t to the Sheriffe to empanell a Jury of 12 men w^{thout} delay.

Sheriffe returneth his writt, & warned
forema^l

Liber
P. C. R.

James Veitch	}	Will ^m Marshall	}	Will ^m Berry	}	Michael Baysey
Richard Hix		James Lindsey		Owen James		Thomas Belcher
Walter Pakes		John Potts		Rob ^t Kingsbury		John Reade.

And a while after the Court being Satte, The Jury returned their Verdict in Writing (Viz) Wee find for the p^{ff} Seauen hund^d pownds of Tob, wth costs of suite. And the Court Ordered th^t the Verdict of the Jury be entred for the Judgm^t

Uppon the demand of Cornelius Johnson p^{ff} agst Henry Thickpenny dēft, in an accōn of debt, The p^{ff} being called, & not appearing, It is Ordered th^t in case the p^{ff} appeare not before the last day of this Court, hee be nonsuited, & pay charges of Court.

Johnson v.
Thickpenny
Vid. Order
p. 46

Sub pena to the Sheriffe attending the Court, to warne Rob^t Taylor & Giles Sadler, to make their personall appearance w^{thout} delay, to testify in a cause, depending, betwixt James Jolley, & Timothy Goodridge att Jolley's request.

Goodridge
v. Jolly

To the R^t hon^{bte} the Gou^e & Councell for the Prouince of Mary-land, sitting in the Cou^{et} of Chancery

p. 40

The humble Petⁿ of John Cornelius & Walter Pake, Sheweth, That Philip Land in June last was Tweluemonth sold to yo^r Pet^{es} 200 Acres of Land, Lying att the upper end of Abbingtons Cliffes in Patux^t Ryuer, for 2000^t of Tob & cask, And subscribed an ingagem^t in writing under his hand for p^e formance thereof; Thereby obliging himselfe in Septemb^r then next coming to deliuer yo^r Pet^{es} full & quiett possesⁿ thereof, & then to make them a firme Bill of Sale wth warranty agst all persons, & (a Couen^t to procure them att his owne charge (assoone as Pattents were to be obteyned) a Patt^t in their names for the s^d Land: & thereuppon, & uppon noe other consideraōn yo^r Pet^{es} passed their Specialty to the s^d Philip Land, for the paym^t of 2000^t of Tob & cask att a day past. That the Land soe sold, was neuer shewen to yo^r Pet^{es} nor any possesⁿ euer tendred, nor any performance att all since made, By meanes whereof the s^d Specialty passed by yo^r Pet^{es} became insignificant & Voydable, in all equity & good conscience: & ought to haue bene uacated, But the s^d Land intending to deceiue & defraud yo^r Pet^{es} w^{thout} their consents or priuity assigned the s^d Specialty to Cap^t John Barrife deceased: & soe it came by lrēs of admīstraōn to Cap^t Will^m Euans; who since assigned the same to M^r Symon Ouerzee & yo^r Pet^{es} are in danger of being sued thereuppon, although noe performance hath bene made of the consideraōn uppon w^{ch} the s^d Specialty was passed, That yo^e Pet^{es} are damnified by the s^d Lands not performance aboue 10000^t

Cornelius et
al. v. Land

Liber of Tob. & cask, But yo^r Pet^{rs} cannot evidence the truth of their case,
P. C. R. att common Law, because the s^d Lands engagem^t is since casually
 lost, Yo^r Pet^{rs} therfore pray th^t the s^d Philip Land may be compelled
 to sett forth the truth of all the premises uppon oath; th^t soe yo^r Pet^{rs}
 may by yo^r Hon^{rs} Order haue such releife, as in yo^r Graces Judgm^{ts}
 shall seeme to bee agreeable, to right, equity & good conscience. And
 yo^r Hon^{rs} Pet^{rs} shall eu^e pray &c:

Ph: Lands answere.

To the hon^{bte} the Gou^e & Councell of Maryland.

Whereas John Cornelius & Walter Pakes haue preferred a Bill in
 Chancery agst me Philip Land, concerning 200 Acres of Land sold
 by mee to the s^d Cornelius & Pake, I gyuing them a Bill of sale for
 the s^d Land, & warranting the sale thereof, agst iust claimes, And
 moreouer certified them, th^t M^r Lewger would giue them the
 Certificate of the Bownds of the s^d 200 Acres; w^{ch} M^r Lewger told
 mee, hee had promised to them, But they pretended there was noe
 Land to be fownd till now as I know of, And now I haue prouided
 the Land according to my Couenant wth them, They would (as far
 as I conceiue) not pay the Tob. notwthstanding Walter Pake did
 promise Cap^t John Barriffe paym^t of the s^d Bill att Patux^t & Cap^t
 Barriffe accepted of it, in Leiw of a Bill hee had of mine, w^{ch} he
 brought out of Virginia. And this is in answere to the Bill in
 Chancery, w^{ch} is nothing but the Truth, as neare as I can rememb^r
 to the w^{ch} I will be ready to make Oath.

Phillip Land.

I desyre th^t they who were att the bargaine making may be sworne
 & M^r John Lewger.

p. 41 Uppon the Bill exhibited in Chancery by John Cornelius & Walter
 Pake agst Philip Land. James Veitch sworne in open Court, sayth,
 That M^r Land sold 200 Acres of Land to the exhibitors, & was by
 condicōn (w^{ch} this Dep^t drew) to procure & giue them a Patt^t when
 Patt^{ts} were to be graunted, & to deliuer them possesⁿ of the s^d 200
 Acres of Land in the winter following, And the Court finding That
 the Deliuery of the Land, was not made by Philip Land, as was
 requyred, as Cap^t Will^m Euans testified uppon Oath deliuered in
 Court, It is Ordered th^t th^e Exhibitors haue their Bill returned, &
 gyuen up to them wthout further trouble, And because the Bill was
 not in M^r Lands hands but by Assign^{ts} made ouer to M^r Symon
 Ouerzee. It is further Ordered That the Bill being gyuen up to the
 Exhibitors by Order afores^d, That Philip Land pay to M^r Symon
 Ouerzee Two Thowsand pownds of Tob. to whom the Bill was
 assigned, & had the s^d Bill in possesⁿ wth Costs of suite to the
 Exhibitors.

Land v. Uppon the demand of Philip Land p^{tf}, agst Will^m Marshall dēft
Marshall in an accōn of the case for 2000^t Tob. The p^{tf} not being able to proue

what he alleageth agst the dēft. The dēft craueth th^t the p^{tf} be
nonsuited, w^{ch} is O^rdered accordingly. Liber
P. C. R.

Uppon the Petⁿ of Richard Hix, agst Sampson Waring, for per-
mitting one Thomas Branson to depart out of his custody, (hee being
then Sheriffe) & who was indebted to the Pet^r in 800^t Tob. & under
exequuōn &c: Respited till next Court. Hix v. War-
ing

Uppon the petⁿ of John Reade, complayning agst Cap^t Will^m
Mitchell, ffor th^t hee the s^d Mitchell had disposed of the one halfe of
a mare, w^{ch} mare was betwixt the Pet^e & the s^d Mitchell; The halfe
afores^d cost the Pet^r 1600^t Tob. And now the s^d Mitchell hauing sold
the whole mare, contrary to agreem^t made, & wthout the Pet^{rs} priuity,
The s^d Cap^t Mitchell dēft being called, & not appearing, nor any
Attorney for him, to make answe^r thereto, It is Ordered th^t the Pet^r
may take Attatchm^t uppon any the Estate, of the s^d Mitchell, if he
please; bringing him thereby, to a Legall tryall, may obtaine satis-
faction, according to his demand, Attatchm^t to the Sheriffe of Calu^t,
according to the Order Ret. next prouinciall Court, to be holden in
Septemb^r next. Reade v.
Mitchell

Robert Taylor deposed, Sayth, th^t the Bill of 1600^t of Tob, w^{ch}
James Jolley passd unto Timothy Goodridge was for a Boy seru^t
w^{ch} Will^m Philips hath now receiued of the aboues^d Timothy, This
Dep^t sayth, th^t when the s^d Timothy came to this Deponts howse, he
heard the s^d Timothy promise the s^d Jolley his Bill againe of 1600^t
Tob. But att th^t p^{ent} Timothy had it not about him, but told him hee
should haue it, & further this Depon^t sayth not. This Deposⁿ is
acknowledged in this Court. Goodridge v.
Jolly
p. 42

Januar. 2^d, 1657, taken by Woodman Stockly & Will^m Parrott

Giles Sadler deposeth, saying th^t he being att an agreem^t betwixt
Timothy Goodridge & James Jolley, heard the s^d Timothy promise
the s^d Jolly if in case he had the seru^t againe: Then the s^d Timothy
would returne the s^d Jolley his Bill againe for the seruant, & further
this Depon^t sayth not

Sworne 2d Jan. by Commis^{rs} Supra

This Deposⁿ is allso acknowledged before this Court.

Uppon the Petⁿ of Timothy Goodridge p^{tf} agst James Jolley dēft,
touching the suite depending betwixt them, & not determined, but
referred to the next Court: & crauing a finall issue therein, A Jury
is desyred by them, & Graunted.

Warr^t to the Sheriffe to summone a Jury of 12 men forthwth
Sheriffe Returneth his writt & warned.

Symon Ouerzee	} Henry Hooper	} Walter Hall	} Will ^m Dorington			
John Potts				} Peter Joy	} Philip Land	} Rich: Hix
John Ashcomb.						

Liber
P. C. R. The Jury returned their Verdict in writing (Viz) The Jury finds That James Jolley shall haue in his Bill, wth Twenty pownds of Tob. damage of Timothy Goodridge, And th^t James Jolley pay unto the s^d Timothy Goodridge Seauen hund^d pownds of Tob forthwth, w^{ch} appeares by Oath due to the s^d Goodridge, but not apperteyning to the Bill, And it is Ordered th^t their Verdict be entred for the Judgm^t of the Court.

Thomas
Seymour v.
Jane Elton-
head Whereas an Order of Court hath formerly bene entred on behalfe of the p^{tf}, in february last, as appeares uppon Record for Seauen hund^d & Twenty pownds of Tob. And the dēft not being able to shew any cause, why it should be reuersed. This Court doth Judge th^t the dēft pay the p^{tf} the s^d Seauen hund^d & Twenty pownds of Tob, wth costs of suite, according to the former Order.

Eltonhead v.
Eltonhead Whereas Edward Eltonhead p^e Attornat, Josyas ffendall Esq^r Gou^r of this prouince, Producing a Bond or Obligaōn under the hand & Seale of Will^m Eltonhead deceased, for the paym^t of ffifty Three pownds, Ten shillings sterl. as by the s^d Deed more att large appeareth, And the deft (being Adm̄istratrix to the Estate of the s^d Will^m Eltonhead her deceased husband) not being able to proue the
p. 43 paym^t of any part thereof, It is Ordered by this Court That an Inuentory of the s^d Estate, be gyuen in uppon Oath, by the Adm̄istratrix wthin one month, & th^t the estate soe Inuentorized bee apprayed by the Oath of Henry Coursey Gentⁿ Robert Taylor, George Reade and Barnaby Jackson, or any Two of them, And th^t the s^d Adm̄istratrix satisfy the s^d Bond, out of the s^d Estate. And because all money debts are payd wth Tobacco in this Country, It is Ordered likewise That the p^{tf} take Tobacco pickd & culld wthout seconds & grownd leaues att Two pence Sterl p^e pownd.

And the Adm̄istratrix of Will^m Eltōhead Deceased desyred to make tender of the Estate in Satisfaction of the Debt mentioned in the afores^d Order. Whereuppon the Court considering th^t noe Adm̄istrator is by Law bownd to pay further then they haue receued Assetts, Doe Order th^t the s^d Edward Eltonhead or his Attorney, be possessed wth the s^d Estate, to be disposed of for his satisfaction, And to th^t end th^t an Inuentory be deliuered in uppon Oath by the s^d Adm̄istratrix, & th^t the Estate soe inuentorized bee apprayed uppon Oath, as in the former Order graunted in this cause, And th^t the Adm̄istratrix bee allowed her Dowry, according to the Law & Custome of England.

Eltonhead v.
ffendall Jane Eltonhead p^{tf} produceth a Bill of the Dēfts of Two Thowsand pownds of Tob in cask. The Dēft acknowledgeth a Judgm^t for Two Thowsand pownds of Tob, as is demanded, & Ordered th^t it be soe entred.

The Court adiorned by the Gou^e, till tomorrow morning

Aprill 30th 1658

All P^{ent} as yesterday, & M^r Nath: Vtye.

Liber
P. C. R.
1658,
April 30

This day Came James Jolley & acknowledgeth a Judgm^t in open Court To Tho: Jordan of London Merch^t, his heyres adm^{istrato}^{es} or Assignes for One Thowsand & Thirty pownds of Tob in cask. Jordan v. Jolly

The same day allso came the fores^d James Jolley, & acknowledgeth a Judgment in open Court to Richard Hix, his heyres adm^{istrato}^{es} or Assignes for fue hundred pownds of Tob. in cask. Hix v. Jolly

Allso the s^d James Jolley acknowledgeth a Judgm^t in open Court to Walter Senserf, his heyres, adm^{istrato}^{es} or Assignes for One Thowsand Three hund^d Thirty Three pownds Tob. in cask wthout grownd leaues uppon a Bill dat. 29 Apr. 1658 Senserf v. Jolly

Uppon the Petⁿ of Walter Hall, agst Henry Payton, Concerning a Boate w^{ch} Henry ffox lent to the s^d Payton, & w^{ch} the s^d Walter Hall hath right unto, by marrying the Relict of the s^d Henry ffox &c: It being proued th^t there hath bene an Attachm^t graunted & serued uppon a Debt of the s^d Paytons in Leiuten^t James Lindseys hand thereby to bring the s^d Henry Payton to answeare, & he neuer appearing. And uppon the Oath of Walter Pakes who affirmeth in open Court That he was buying the s^d Boate of Henry ffox about a month or thereabouts before th^t Boate was lent to the s^d Payton, & profered 500^t Tob, for the s^d Boate & Sayle, & the s^d ffoxe profered the s^d Boate for 600^t Tob to the Depon^t It is Ordered th^t the Pet^r haue a new Attatchm^t for Twelue hund^d pownds Tob. & In case the s^d Payton appeare not eyther by himselfe or Attorney att the next Prouinciall Court, Then the Pet^r to haue Judgm^t for six hund^d pownds Tob, wth costs & dammages. Hall v. Peyton
P. 44

Uppon the Petⁿ of Elizabeth Robins, clayming a Reference till next Court, Rob^t Robins husband to the s^d Elizabeth desyres th^t a Reference be not graunted: But th^t the business w^{ch} hath bene formerly here in dispute, may come to a finall tryall & issue att this p^{ent} Court. But the Pet^r alleaging th^t shee hath not her wittnesses ready, & the persons lyuing about Wicocomoco Ryuer. It is Ordered That this cause bee referred to the next County Court, to be held in Charles County, & both parties to expect their tryall, there, & to bring their wittnesses thither. Robins v. Robins

James Lindsey demands Lrēs of Adm^{istra}ōn uppon the Estate of Symon Antonio as Cred^e unto it in the summe of 2162^t Tob. due by Bill & accompt Re Antonio's Estate

Ordered th^t he haue Lrēs of Adm^{istra}ōn, as being greatest Cred^e

Liber
P. C. R.
Smith v.
Pott
p. 45
Upon the demand of Richard Smith p^{tf}, agst John Pott dēft for 962^l Tob & cask. Subpena to the Sheriffe to warne Sampson Waring to testify, Cap^t Sampson Waring deposed in open Court, Sayth, That he this Depon^t went along wth the p^{tf} to John Potts the dēfts howse, & there ueiwd one hogshead of Tob. w^{ch} appeared to this Depon^{ts} ueiw to be good Tob. both att the top, & on the sides of the hogshead: But being broken open Wee fownd frost bitten Tob packd therein, And a good while after comming againe to the dēfts howse, & uew-ing the same hoagshead againe (as this Depon^t thinketh) this Depon^t receaued it, & payd it away to M^r Henry Meeze uppon the p^{tf}s owne account, & uppon noe other account It appearing to this Court, uppon accounts balanced betwene Richard Smith p^{tf}, & John Pott dēft, That there remaines due to the sayd Richard Smith 853^l of Tob. It is Ordered by this Court that the s^d Smith shall be payd his Debt of Eight hund^d fifty three pownds of Tob, afores^d wth costs of suite. The Court adiorned by the Gouverno^e till afternoone.

All P^ent as afore.

Carey v.
Hooper
Thomas Jordan merch^t aged 24 yeares or thereabouts sworne & examined sayth, That hee this Depon^t had a Certaine parcell of Copper Lace of M^r Thomas Caryes, The w^{ch} Lace, he the s^d Depon^t further sayth, th^t hee deliuered unto M^r Henry Hooper, the s^d Hoopers Wife, being att the same time present, to bee by them deliuered to the s^d Carye
Jurat Cora^e nos the 18th of March instant Thomas Jordan.
Rich: Preston/Mich: Brooke.

Upon the demand of Thomas Carye p^{tf}, & Henry Hooper dēft, Concerning Copper Lace, & a Syluer Tankerd; Thomas Carye deposed in Court sayth, That the Tankerd cost him fwe pownd, Eight shillings, three pence, att the first penny in England. And all accounts being balanced in Court, betwixt the p^{tf}, & M^r Nutt, for whom the p^{tf} is Attorney, & the dēft. It is Ordered th^t the Dēft pay unto the p^{tf}, uppon demand Six hund^d twenty Eight pownds of Tob. in cask, otherwise Exequuōn. And further th^t the p^{tf}, giue the dēft fowre pownds, att his returne next Shipping, the Remainder of a Bill due from James Cary, or ells his Bill againe.

Dorington v.
Meese Mer.
Upon the Petⁿ of Will^m Dorington p^{tf}, agst Henry Meese dēft, for deteyning a Bill, w^{ch} the Pet^r passed to Bossell Little, for 4124^l Tob. The parties haue agreed betwixt themselues.

Hooper v.
Norton
Upon the Petⁿ of Henry Hooper p^{tf}, agst Tobias Norton dēft, shewing th^t a reference being graunted to the dēft, att the Last Court to be determined the next Court following. The dēft alleageth, th^t hee had neyther notice, or summons to appeare this Court. It is

therefore Ordered th^t this Cause bee respited till the next Prouinciall Court, to bee held in Septemb^r following.

Liber
P. C. R.

Uppon the Petⁿ of Thomas Philips, agst Cap^t Will^m Mitchell for uniust Molestaōn & trouble. The s^d Mitchell not appearing nor any Attorney from him, att this Court, (& this being the last day of the Court, & the Court ready breake up) the Pet^r desyres an Nonsuite, wth costs of suite. And bringing in his account in Court, for 470^t Tob: Being for seuerall dayes his attendance in Court. It is Ordered th^t the s^d Mitchell be Nonsuited, & th^t the Pet^r be allowed fowre hund^d & seauenty pownds Tob: wth other costs beloinging to this suite, as is demanded.

Philips v.
Mitchell

To the
Cler 99
to the
Sher: 100
199

Exequuōn issued out thereuppon according to the Order.

of S^t Maries

Whereas Cap^t Will^m Mitchell hath exhibited a Bill in Chancery agst Thomas Gerard Esq^r about fowre Cowes att a Court held att Patux^t in Decembr^r last, & reference being Graunted unto this Court, The s^d Will^m Mitchell not appearing eyther by himselfe or Attorney, & this being the last day of the Court, It is Ordered by this Court th^t the sayd Bill be dismissed, & the s^d Mitchell to pay costs of suite.

Mitchell v.
Gerard

p. 46

John Harwood (p^e Attornat Cap^t Will^m Euans) dēft, Craueth a Nonsuite agst Cap^t Stone p^{ff}, who not appearing this Court, neither by himselfe, or Attorney, & this being the last day of the Court It is Ordered th^t the p^{ff} be nonsuited.

Stone v.
Harwood

Bartholomew Phillips (p^e Attornat, James Langworth) dēft, Craueth likewise a nonsuite agst the p^{ff}, who not appearing, this Court, It is Ordered th^t the p^{ff} be nonsuited.

Stone v.
Philips

Henry Thickpenny p^e Attornat Peter Joy craueth a Nonsuite agst the s^d Johnson, w^{ch} is graunted, according to the Order yesterday passed afore noone Aprill 29^o Vid. pag. 39.

Johnson v.
Thickpenny

Uppon the Petⁿ of Thomas Markeyne p^{ff}, agst Will^m Chaplane deft; the Pet^r alleageth great preiudice, & detriment susteynd by him, in th^t the dēft (the Pet^r being lame) cutt of a ioynt in one of his toes wthout the approbaōn of a Chyrurgeon. Ordered th^t the Case be respited, & determined att the next County Court, to be held in the County of Caluert.

Markeyne v.
Chaplan

To the hon^{bte} Josias ffendall Leiuten^t of the prouince of Maryland & the rest of this Honble Court.

Proprietary
v. Dandy

The Humble Petⁿ of James Veitch.
Sheweth

Whereas yo^r Pet^r did exhibite the Accounts both for himselfe & the Clarke, for the imprisonm^t, & other necessary & usuall charges &

Liber
P. C. R. fees, concerning the tryall executing John Dandie; as by their the
s^d Sheriffs yo^r Pet^r & Clarks accounts appeareth, before a Prouinciall
Vide 10 Md. Court held att Patux^t for the sayd prouince the 5th Octobr^r 1657.
Arch. 547 And the s^d Court hauing examined the sayd accounts, did order th^t
Sher. 5204 fiue thowsand two hund^d & twenty pownds of Tob to yo^r Pet^r, & six
Cl. 0622 hund^d Twenty Two pownds of Tob. to the Clarke, to be forthwth
5826 satisfyed unto yo^r Pet^r & Clark, or else exequuōn.

Re Simp- It is Ordered th^t the Pet^r haue, according to demand, in this Petⁿ
son's Estate Owen James, as Cred^e to the Estate of Paul Simpson 2400^t & Walter
Pake being likewise Cred^e 1300^t demand ioyntly Lrēs of Admistraōn
on the Estate of the s^d Paul Simpson Deceased. Ordered th^t they
haue Lrēs of Admistraōn ioyntly granted them.

p. 47 Rob^t Clarke Esq^r demandeth an Attachm^t uppon the Estate of Cap^t
Clarke v. Will^m Mitchell, to the ualew of 2500^t Tob. on the behalfe of Cawsins
Mitchell Childre

Cornwaleys To the hon^{bte} the Lieut^t Graff & Councell of State for the Prouince
v. Chandler of Maryland

The humble Petⁿ & Complaynt of Thomas Cornwaleys
Sheweth

That whereas Coth ffrancis Yardley & Nathaniel Batt both of
Virginia for a good & ualuable consideraōn to them in hand payd
by the s^d Tho: Cornwaleys, became bownd unto the s^d Thomas Corn-
waleys his heyres & Assignes in the penalty of fiue thowsand weight
of Tob, wth cask, for the deliuey of Two Indian yowths, unto the
s^d Tho: Cornwaleys, or his Assignes, As by the s^d Obligaōn doth &
may appeare, W^{ch} s^d Indians were not brought to the place appointed,
nor euer deliuered to the s^d Compl^t ffor default whereof the visible
Estate of the s^d Coth Yardley was attatched wthin the fores^d prouince,
And was Bayled by M^r Job Chandelor, & one Goulding, who became
bownd to the Sheriffe, to secure the s^d Estate till further Tryall att
Law, should determine the s^d business, as by their Obligaōn in the
hands of Cap^t Sampson Waring Successor to the former Sheriffe
doth & may appeare Since w^{ch} time the s^d Thomas Cornwaleys being
out of the prouince, there hath bene noe proceedings in the s^d busi-
nes, And the s^d Gowlding being Dead, The s^d Thomas Cornwaleys
humbly prayeth that processe may issue agst the s^d Job Chandler
to produce the s^d Estate, or giue satisfaction to the s^d Thomas Corn-
waleys for his debt, & dammage, & hee shall pray &c:

Whereas the Estate of Coth Yardley (now being att Portobacco in
the prouince of Maryland) wholly attatched for the use of Cap^t
Cornwaleys debt: & Rich: ffoster his debt: & Tho: Marsh. Know
all men by these p^ents th^t I Job Chandler & John Goulding doe ingage
o^eselues for security of the s^d Estate, unto John Smith, the present

prouinciall Sheriffe untill further tryall be had in court therein. In Liber
wittnes whereof Wee haue Sett o^e hands this 7th of May 1655 P. C. R.

Signed in the p^{en}ce of Vs

James Veitch

Geo: Burbage.

Job. Chandler

John Goulding

Ordered according to the petⁿ th^t p^{ro}cesse issue agst M^r Job Chandler & be determined next Prouinciall Court.

Proclama^on being made by the Sheriffe, & noe one hauing any Business to be heard & determined, The Gouverno^e dissolved the Court. Adjournment of Court

And appoynted the next Prouinciall Court to be held on the first Twesday in Septemb^r next (Viz) 8^o Septemb^r

Here are Recorded such Entryes, Depos^{ns} Commis^{ns} & proceedings p. 48 done & taken during the Court.

Jacob Lumbrozo demandeth warr^t agst Anthony Galloway in an acc^on of Debt of 600^t Tob. Lumbrozo v. Galloway

Warr^t to the Sheriffe of Anarundel County to arrest &c: Ret. next prouinciall Court, to be held 8^o Septemb^r next.

Subpena to the Sheriffe of S^t Maries, to warne John Bolaine to bee att the next County Court, to be held in Charles County to testify his knowledge in a Cause depending betwixt Robert Robins & his wife Robins v. Robins

Subpena allso to the Sheriffe to warne Phillip Land, & Timothy Goodridge to testify in caâ Suprà.

Subpena to the Sheriffe to warne Rob^t Kingsbury to testify in caâ James Jolley & Timothy Goodridge, att Jolleys request Goodridge v. Jolly

Thomas Thomas, lyuing att S^t Leonards Aged 34 yeares or thereabouts examined 29 Aprill, Sayth uppon Oath, That Cornelius Johnson had from Will^m Batten, uppon his this Depon^{ts} account, some quan^{ty} of strong drinke, but what quan^{ty} he cannot say, And that for the strong drinke Henry Thickpenny satisfied him this Depon^t out of wages dew from the Depon^t to the s^d Henry, & this is all he can say in this matter. Johnson v. Thickpenny

Jurat Cora^e Ed: Scott.

John Chareman maketh Oath Aprill 29, 1658, That hee this Depon^t saw M^r James Lindsey deliuer into the hands of Symon Antonio a Gun, in Satisfaction of a Cow Calfe. And hee the s^d Antonio seemed to this Depon^t to be well contented. Re Antonio's Estate

John Lewger aged 30 yeares or thereabouts sworne & examined this 28 day of Aprill 1658, Sayth That to the best of his this Depon^{ts} Re Henry Fox

Liber P. C. R. knowledge ffancis Brookes had of Henry ffox, Two Cowes and a hogshead of Tob, for the releasing of Two seruants taken by the Sheriffe in Exequuōn & further sayth not.

John Lewger gentⁿ aged 30 yeares or thereabouts 28 April 1658, Deposed, Sayth That about ffebruary in the yeare 1656, hee this Depon^t heard Henry ffox demand of Cap^t Will^m Mitchell, the White Howse standing att S^t Maries, & the s^d Mitchell replied th^t the s^d ffox had noe Tytle or interest therto : & therfore bad him beg one out of it, And th^t att the same time, hee did see the s^d Cap^t Mitchell, take the s^d ffox by the shoulders, & turne him forth of doores, & further sayth not.

Jurat, Cora^e Ed. Scott.

p. 49 Mullikin v. Harris John Odber Aged 36 yeares or thereabouts, sworne 28th Aprill 1658 sayth That about October last was tweluemonth he this Depon^t heard M^r Rich. Harris condicōn & agree wth James Mullikin, That if hee the s^d James would seate his plantaōn, wth some seruants, th^t hee the s^d Harris would place wth him to helpe build & cleare the s^d plantaōn, The Crop being finished hee the s^d M^r Harris did promise to giue him Three months worke wth an able hand, for his winters worke, & further hee cannot depose.

Jurat Cora^e Ed : Scott.

Re Douty James Veitch Aged thirty yeares or thereabouts 28 Aprill 1658 Sworne & examined sayth That hee, about the end of ffebruary, or beginning of March last, as neare as he can remember, did by chance meete one M^r Randal Reuell of Accomack, & in discourse asked him if hee knew one M^r Dowty, a Minister in Accomack. This depon^t continuing his discourse saying th^t he knew a freind of the s^d M^r Dowtyes, th^t would willingly haue procured him a Benefice in Patux^t Ryuer, if the Inhab^{ts} of Accomack would giue way th^t hee should come from thence, And the s^d Randall replied, th^t he knew the s^d M^r Dowtye would not bee for their turne, ffor th^t hee knew him to bee a man gyuen to many uices, & easpecially to drinking, & further hee sayth not.

Jurat Cora^e Ed : Scott.

Chareman v. Boreman James Lindsey Aged 32 yeares or thereabouts 30th Apr. 1658 deposed, sayth, (att the request of John Chareman) That hee knoweth very well, th^t a certaine Crop of Tob, w^{ch} Will^m Boreman, & John Chareman were partners in, att Nangemy, was lost & spoyled for want of Cask, & more he cannot depose.

Jurat Cora^e Ed. Scott.

Christopher Joanes aged 23 yeares or thereabouts 30th Aprill 1658, deposed, sayth, (att the request of John Chareman) That the Crop, as in Oath former, was utterly spoyled for want of Cask, Save only

Three Cask was made up, The rest spoyled for want of help to strike it, & cask to putt it in. And further this Depon^t sayth th^t John Chareman was ready att all times, to exspect helpe from M^r Boreman to strike & cask the s^d Tob. & further sayth not in this matter.

Liber
P. C. R.

Jurat Cora^e Ed: Scott.

mark Cattle.

Jarboe's
Mark

John Jarbo entreth his mark of Cattle, (Viz) The Right eare slitt, The Left eare Cropd, & ouer & under keeld.

Timothy Goodridge aged 27 yeares or thereabouts, (att the behalfe of Rob^t Robins) sworne & examined sayth this 30th Aprill 1658, That hee this Depon^t heard Rob^t Robins aske his Wife this uery day, whither or noe shee would sweare th^t That Child, shee then carryed in her armes, was begotten of his the s^d Rob^t Robins body. Shee replied th^t shee would not sweare it. Then he asked her, if hee should sweare, th^t the child was none of his. Shee answered noe, hee should not, & further he sayth, hee cannot depose.

p. 50
Robins v.
Robins

Jurat Cora^e Ed Scott.

Philip Land aged 50 yeares or thereabouts, Sworne & Examined Eode die, Sayth, That hee heard Rob^t Robins ask his Wife, Whither shee would take her Oath in open Court, That the Child shee had then in her armes, was begotten by him the s^d Rob^t Robins, shee replied shee would not, & further this Depon^t sayth not.

Jurat Cora^e Edw. Scott.

Christopher Goodwicker aged 30 yeares or thereabouts sworne & examined Eode die, Whither or noe he remembers th^t Rob^t Robins call'd him aside att the former Court held att Patux^t & whither hee heard the words w^{ch} Will^m Whittle then spake, To w^{ch} hee answers, th^t he remembers not, th^t the s^d Robins did call him aside, nor any words spoke or uttered by the s^d Whittle concerning the s^d Robins Wife. But hee sayth how he heard Margaret Bassett, & Sara Yowng say, That the s^d Rob^t Robins Wife had taken Sauen two seuerall times. Pretending to the woemen th^t it was for the wormes, & further sayth not.

Jurat Cora^e Ed Scott.

The Deposⁿ of John Shirtcliffe aged 40 yeares or thereabouts sworne before Robert Slye Jan: 4th 1657.

Gerard v.
Mitchel
Vid. Mit-
chels Oath
and order 29
December
1657

This Depon^t sayth, th^t to the best of his knowledge Seauen hund^d & twenty weight of Tob. was payd unto Cap^t Mitchel, or his Assignee or assignes about the 14th day of May 1657, it being part of the Tob. due by uertue of a Bill bearing date July 21th 1656, of 1219^l Tob. W^{ch} s^d Bill this Depon^t hath had in his custody this tweluemonths last past, or thereabouts & lately Ordered by Court

Liber to deliuer it to M^r Tho: Gerard. And further this Depon^t sayth,
 P. C. R. That he comming to Will^m Yownge hee this Depon^t being earnest to
 repayre home, hee s^d to the s^d Will^m Yownge, When doe yo^u goe
 home I must goe for a Receipt att yo^r howse, w^{ch} M^r Gerard hath
 requested mee to take for his use; The s^d Will^m Yownge replied, I
 would not haue you doe soe, for Cap^t Mitchel hath spoke to mee,
 p. 51 that this Tob. might goe uppon some other account of my owne, or
 words to th^t purpose. Hee the s^d Depon^t answered againe, M^r
 Gerard being his freind, Will^m Assiter being a poore man, hee was
 not willing hee should loose his seruant, as M^r Gerard pretended hee
 would haue, in case the s^d Tob, due uppon the s^d Bill, were not payd.
 And this Depon^t being then not about to goe the direct way home,
 wish'd M^r Gerard to call for the s^d receipt w^{ch} he spake to the s^d
 Will^m Yownge of.

Jurat Cora^e Rob^t Slye.

John \$ Shirtcliffe

The Deposⁿ of Richard Bennett, aged 44 yeares or thereabouts,
 Sworne before me Rob^t Slye this 4th Jan. 1657.

This Dopot^t Sayth, th^t about the 14th of May 1657 hee payd
 Seauen hund^d & Twenty weight of Tob, to Thomas ffowke, then
 seruant to Cap^t Will^m Mitchell, & he beleiueth the s^d Thomas ffowke
 receiued it according to the s^d Cap^t Mitchells order, W^{ch} afores^d Tob,
 was payd, as being part of the Tob, payable uppon a Bill of 1219^t
 Tob. W^{ch} s^d Bill, was left in the custody of John Shirtcliffe, & the s^d
 Thomas ffowke after paym^t thereof, sayd if this Depon^t would goe
 to John Shirtcliffe, hee would sett downe soe much receaued on the
 backside of the Bill. The Depon^t replied, hee would not goe att this
 time, a Receipt should serue.

And this Depon^t further sayth th^t since the s^d 720^t of Tob was
 receaued he heard by Will^m Yownge, That Cap^t Mitchell sayd the
 Tob was good which hee receaued of him.

Richard ♂ Bennett

Jurat Cora Rob^t Slye.

May the 14th (57)

Receiued before the day aboue written of Richard Bennett the
 summe of 700 & 20^t of Tob. in part of a Bill of Twelue hundred
 and nineteene. I say receaued by me Thomas ffowkes,

Sheriffs Ap- Cap^t Nicolas Gwyther constituted & appoynted Sheriffe of S^t
 pointed Maries & Charles Counteys, Sworne in open Court, Oath infra.

M^r John Norwood appointed Sheriffe of the County of Anarundel
 & sworne in open Court.

M^r John Coursey appointed Sheriffe of Kent County, & sworne
 cum reliquis.

M^r Will^m Coursey appointed Sheriffe of the County of Caluert
 Sworne, Eod. die.

The Oath of Sheriffe.

Liber
P. C. R.
p. 52

Yo^u shall well & truly serue the Lord Proprietary of this prouince in the Office of Sheriffe of N Yo^u shall truly & rightfully treat the poeple of yo^r Sherifwick, & doe right as well to poore as to rich in all that belongeth to yo^r s^d Office. Yo^u shall doe noe wrong to any man, for any gwift, fauo^e, hate or other affection. Yo^u shall duely exequite, soe far as yo^u may, all such writts, & warrants as shall bee to yo^u directed by lawfull authority, & therof yo^u shall make true returne, according to the tenor of the writt. Soe helpe yo^u God &c:

Commission
Charles
County
Vide 3 Md.
Arch. 341

Cæcilus Absolute & Prop^e of the Prouinces of Maryland & Aualon, Lord Baron of Baltemore &c: To John Hatch, James Lindsey Henry Adams, Edward Parks, James Walker & Robert Hunley Gentⁿ Greeting, Know yee That Wee for the ease & benifitt of the Poeple of this o^e Prouince & for the spedyer & more exact Admⁱstraōn of Justice haue erected, & doe by these p^esents Erect all th^t Tract of Land of this o^e Prouince of Maryland Bownded with West Wicocomoco Ryuer, up to the head thereof, & Sowth wth Patowmeck ruyer from the mouth of Wicocomoco up as high as any Plantaōn under o^e gouerm^t is now seated, And from thence wth a right Line drawne from such plantaōn as afores^d to the head of Wicocomoco Ryuer, into a County, By the name of Charles County, in honou^e of Our only Sonne & heyre apparant Charles Caluert Esq^r And for the great trust & confidence, Wee haue in yo^r fidelities, circumspections, prouidences, & wisdomes haue constituted, ordeyned & appointed & doe by these p^ents constitute, ordaine & appoynt yo^u John Hatch, James Lindsey, Henry Adames, Edward Parks, James Walker & Rob^t Hunley, Gentⁿ Commissioners Joyntley & seuerally to keepe the Peace in Charles County afores^d And to keepe & cause to be kept all Lawes & Orders made for the good & conseruaōn of the Peace, & for the quiett rule and gouerm^t of the Poeple in all & euery the articles of the same, And to chastice & punish all persons offending agst the forme of any the Lawes & Orders of this o^e prouince, or of any of them in Charles County afores^d as according to the forme of those Lawes & orders shall be fitt to be done. Wee haue allso constituted & ordayned yo^u & euery fowre or more of yo^u, of w^{ch} yo^u the s^d John Hatch (unlesse some one of o^e Councell bee p^esent) are allwayes to bee one; Commis^{es} to enquire by the Oath of good & lawfull men of yo^r County afores^d of all manner of ffellonies, Withcrafts, Inchantm^{ts}, Soceries, Magick arts, Trespasses fforestallings, Ingrossings, & Extortions whatsoever & of all & singular other misdeeds & offences of w^{ch} Justices of the Peace in England may or ought lawfully to enquire by whomsoever, or whensoever done or perpetrated, or w^{ch} hereafter shall happen to be done or perpetrated in the County afores^d agst the Lawes & Orders of this Our prouince, Prouided yo^u

p. 53

^{Liber}
P. C. R. proceed not in any the Cases afores^d to take life or member: but th^t in euery such Case yo^u send the Prisoners wth their Indictm^t, & the whole matter depending before yo^u, to the next prouinciall Court to bee holden for this Our prouince, whensoeu^e, or wheresoeu^e to bee holden, there to bee tryed, And further wee doe hereby authorize yo^u to issue writts, processe, arrests, & Attatchm^{ts} to hold Plea of heare & Determine & after Judgm^t Exequuōn to award in all causes Ciuill whither in accōns reall or personall, where the thing in accōn doth not exceed the ualue of Three Thowsand pownd weight of Tob. according to the Lawes, Orders, & reasonable customes made & used in this Our prouince of Maryland. In w^{ch} causes Ciuill soe to be tryed wee doe constitute, ordaine & appoynt the s^d John Hatch to be Judge as afores^d, unlesse some one of Our Councell bee then in Court. And therfore Wee command yo^u, th^t yo^u dilligently intend the keeping of the Peace, Lawes, & Orders, & all & singular other the premises, & att certaine dayes & places w^{ch} yo^u, or any such fflowre, or more of yo^u as is afores^d shall in th^t behalfe appoynt, yee make enquiryes uppon the premises & performe & fullfill the same in forme afores^d, Doeing therein th^t w^{ch} to Justice apperteyneth according to the Lawes, Orders & reasonable Customes of this Our prouince, Sauing to vs the amercem^{ts}, & other things thereof to us belonging, And wee command the Sheriffe Nicolas Gwyther by vertue of these p^{nts}, th^t att certaine dayes & places w^{ch} yo^u or any such fowre or more of you as afores^d, shall make knowne to him, to giue his attendance on you, & if need requyre, to cause to come before yo^u, or any such fowre, or more of yo^u, as afores^d, such & as many good & lawfull men of yo^r County, by whom the truth in the premises may the better be knowne & enquiryed of & Lastly wee haue appoynted Clarke & keeper of the Records of proceedings in this yo^r County Court, & therfore you shall cause to be brought before yo^u, att the s^d dayes & places, the writts, precepts, processe, & Indictm^{ts} to yo^r Court & Jurisdiction belonging, th^t the same may bee inspected & by a due Course determined as afores^d, Gyuen under the great Seale of this Our prouince of Maryland this Tenth day of May in the 26 yeare of Our Dominion ouer the s^d prouince, & in the yeare of o^e Lord 1658. Wittnes o^e Right Trusty, & wellbeloved Josias ffendall Esq^r o^e Leiut^t of the s^d prouince

Josias ffendall.

Commisnⁿ St
Maries
County Cæcilius Absolute Lord & Prop^e &c. To Rob^t Slye, Cap^t Will^m Euans, Symon Ouerzee Rich: Willan, Will^m Barton, James Langworth, Rich: Banks, Tho: Mathews Gentⁿ Greeting, Know yee th^t Wee for the great trust & confidence wee haue in yo^r fidelities, Circumspections &c: in the County of S^t Maries, And to keepe &c: Wee haue allso constituted & ordeyned yo^u & euery fowre, or more of yo^u, of w^{ch} yo^u the s^d Rob^t Slye, William Euans or Symon Ouerzee

(unlesse some one of our Councell be p^{nt}) are allwayes to be One. Commis^{es} to enquire &c: In w^{ch} causes Ciuill soe to be tryed wee doe constitute, ordaine & appoynt the s^d Rob^t Slye, Will^m Euans, and Symon Ouerzee to be Judges as afores^d, Vnlesse &c: And wee command the Sheriffe Nicolas Gwyther, of yo^r County afores^d, by uertue &c: And lastly Wee haue appointed Roger Isham Clarke & keeper &c: Gyuen under &c:

Liber
P. C. R.
p. 54

Josias ffendall.

Cæcilius Absolute Lord & Prop^{ey} &c: To Henry Coursey Thomas Sprigge, Thomas Truema^r, Michael Brooks Rob^t Taylor & Philip Morgan Gentⁿ Greeting Know yee th^t wee for the great trust &c: Wee haue allso constituted, and ordayned yo^u & euery fowre of yo^u of w^{ch} yo^u the s^d Henry Coursey, Thomas Sprigge, or Thomas Trueman, Vnlesse some one of o^r Councell bee present are allwayes to be One. Commis^{rs} to enquire &c: In w^{ch} Causes Ciuill &c: Henry Coursey Tho: Sprigge & Tho: Trueman to be Judges as afores^d &c: the Sheriffe Will^m Coursey by uertue &c: And lastly wee haue appointed Edmond Scott Clarke & keeper &c: Gyuen under &c:

Commisⁿ
for Calvert
County

Josias ffendall.

Cæcilius absolute Lord &c: To Richard Wells, Thomas Todde, Samuel Withers, John Brewer, Anthony Galway, Roger Grosse, Richard Woolman, Robert Burle, Thomas Taylor, Thomas Besson, Thomas Howell The s^r Rich: Wells, Thomas Todde, Samuel Withers, Com^{rs}, & Judges.

Commisⁿ
for Anarun-
del County

Cæcilius absolute Lord &c: To Cap^t Robert Vaughan, Philip Conner, Thomas Bradnox, Henry Morgan, Joseph Weekes, Seth ffoster Gentⁿ &c: Yo^u or any Three of yo^u &c: Rob^t Vaughan or Philip Conner, to allwayes one Vnlesse &c: Commis^{rs} &c: & Judges &c:

Comis^{rs} for
the County
of Kent

Yo^u shall sweare That as Commis^e in the County of N. (in all articles in his L^{ps} Commisⁿ to yo^u directed) yo^u shall doe equall right, to the poore, as to the Rich, to the best of yo^r Cunning, witt, & power, & after the presidents & Customes of this prouince, & Acts of Assembly thereof made. And th^t yo^u hold yo^r Sessions, or Courts, as yo^u are directed in yo^r Commisⁿ or according to Acts of Assembly prouiding in th^t behalfe. And all fines, and amercements, th^t shall happen to be made, & all forfeitures, w^{ch} shall fall before you, yee shall cause to bee entred wthout any concealement & certify the same to his L^{ps} Receiuer of this prouince, yee shall not debarre, or hinder the prosecuōn of Justice, or take any gwift, bribe or ffee, to th^t intent, or delaying of Judgm^t But shall behaue yo^r selfe iustly & truly, to the best of yo^r understanding & power, soe long as yo^u shall persist in this Office: & untill yo^u shall bee by lawfull authority discharged therefrom. Soe helpe yo^u God &c:

The Oath of
Commander
or Commis^r
of a County

Liber Robert Cole demandeth Lrēs of Admistraōn uppon the Estate
 P. C. R. of Benjamin Gill deceased, as being next of Kinne, to the s^d Gill,
 May 17th in this prouince.
 p. 55

Re Gill's Es- It is Ordered by the Secretary (Judge in Testamentary Causes)
 tate that entring into Recogniz. he haue lrēs of Admistraōn drawne.

Recogniz This day came Rob^t Cole of S^t Clem^{ts} hund^d in the prouince of
 Rob^t Cole Maryland, & acknowledged himselfe indebted to the L^d Proprietary,
 in the summe of fifty thowsand pownds of Tob. in case he doe not
 make or cause to be made a True & perfect Inuentory of all & sing-
 ular the goods, chattles, & debts of Benjamin Gill deceased, w^{ch} shall
 or may come to his hands, possessⁿ or knowledge: nor the same doe
 exhibite into the Office for Probate of Wills & graunting Admistra-
 ōns before the first day of September next, (unlesse uppon iust
 demand longer time, be graunted him by the Secretary) nor the same
 goods, chattles & debts doe will & truly admister, That is to say, Doe
 not pay the debts of the s^d deceased, w^{ch} hee did owe att his decease,
 as far as the s^d goods, chattles, & debts will extend & the Law charge
 him. Or if he shall not make a true & iust account of & uppon his s^d
 Admistraōn, when hee shall be therto lawfully requyred. Or shall
 not distribute & dispose the remainder of the s^d goods & chattles w^{ch}
 shall be fownd uppon his s^d account examined & allowed in the s^d
 Office, in such manner & forme, as shall bee limitted & appointed by
 the Judge or Judges appointed or authorized in th^t behalfe. And in
 case any last Will & Testament of the s^d Benjamin Gill shall appeare,
 & the Exequuto^e or Exequuto^{es} therein named, doe exhibite the same,
 making request to haue the same approued accordingly. Then if he
 doe not after request to him lawfully made, render & deliuer up his
 lrēs of Admistraōn into the s^d Office, Or shall not att any time acquitt
 discharge & saue harmelesse the Secretary & all other Officers im-
 powred to the graunting of lrēs of Admistraōn agst all persons,
 hauing or pretending to haue any right, tytle, or interest in & to
 the sayd goods, chattles & debts.

Recogniz Cora me Will^m Bretton.

Robert Cole

Lrēs Admistraōn to Rob^t Cole

Cæcilius Absolute Lord & Prop^e of the Prouince of Maryland &
 Aualon Lord Baron of Baltemore, To Rob^t Cole of S^t Clem^{ts} hund^d
 in the County of S^t Maries, Greeting. Whereas Benjamin Gill late
 of this prouince Deceased, Dyed wthout any Will, Wee doe therfore
 p. 56 giue & graunt unto yo^u the s^d Rob^t Cole of S^t Clem^{ts} in the County
 afores^d ffull power & Authority to admister All & singular the goods,
 chattles & debts of the sayd deceased, And to demand, collect, Leuy,
 & in Legall manner requyre and receaue All, & all manner of Debt &
 debts due & oweing to the s^d Deceased & well & faythfully to dispose
 of the same. And out of the goods, debts & chattles of the s^d

deceased, w^{ch} haue, may, or shall come to yo^r hands or possesⁿ Well & truly to pay the debts due by the s^d Deceased, soe far forth as the same shall therto extend, & the Law will charge yo^u, according to the trew ualew & summe thereof, yo^u hauing first taken yo^r Oath well & truly to admⁿister the same. And to make, or cause to be made a true & p^efect Inuentory of All & singular the goods, chattles, & debts of the s^d Deceased, w^{ch} haue may, or shall come to yo^r hands, possesⁿ or knowledge. And allso a true & iust acc^t, in & concerning yo^r admⁿistraōn therein, And to exhibite both into the Office for Probate of Wills, & graunting Admⁿistraōns lawfully authorized. Touching w^{ch} Iuentory, yo^u are assigned to performe att or before the first day of September next ensuing. And an account when yo^u shall bee therto lawfully requyred. And lastly Wee doe hereby constitute, ordaine, & appoynt yo^u the s^d Robert Cole Admⁿistrato^e of All & singular the goods chattles, & debts of the s^d Deceased, Gyuen att S^t Maries under the Great Seale of Our prouince of Maryland this 17th day of May in the 26th yeare of Our Dominion ouer the s^d prouince of Maryland Anoque Dm̄ 1658. Wittnes o^e Deāre Brother Philip Caluert Esq^r Secretary of Our s^d prouince.

Liber
P. C. R.

Philip Caluert Secr.

Martin Kirke sworne Custable of S^t Michaels hunred.

Constable
Sworn

Cunstables Oath. Yo^u shall well & truly serue the Lord Proprietary of this prouince in the Office of Cunstable, yo^u shall see, & cause his L^{ps} peace to bee well & truly kept & preserued, according to yo^r power & knowledge wthin yo^r limitts. Yo^u shall doe yo^r best endeauo^e for the apprehending of Delinquents, soe far as reasonably yo^u may. Yo^u shall well & duely (according to yo^r knowledge & power exequite all precepts, & warrants to yo^u directed from the Gou^e, or any one of the Councell or other Commander of yo^r Diuision. And yo^u shall well and duely, wthin yo^r limitts, according to yo^r knowledge & power, doe & exequite all other things, belonging to a Cunstable to doe, by the Law or custome of England, & of this prouince. Soe long as yo^u shall be in th^t Office. Soe helpe &c.

Warr^t to Martin Kirke Cunstable, to take into Custody Tho: Re Pitcher Pitcher a Runaway out of Virginia, & him (to his endeauo^e) to secure, till further Order therein

Whereas there appeareth an Inuentory of the Estate of Thomas White late of this prouince deceased, & recorded under the hand of Thomas Turner Clark the 18th March 1657, Entred by Margaret Brent, pretending her selfe Exequutrix to the Estate of the s^d Deceased, The s^d Inuentory apprayed by John Carye, & Peter Carre, amounting to 8064^t Tob. And noe will appearing uppon Record,

May 18th
p. 57
Re White's
Estate

Liber
P. C. R. nor Order of Court, whereby the s^d Margarett Brent may be possessed wth the s^d Estate, or may claime lres of Adm̄istraõn in & to the same. It is Ordered by Philip Caluert Esq^r Secretary & Judge in Causes Testamentary wthin this prouince. That Will^m Marshall take the s^d Estate soe apprayed & secure the same in his custody till further Order from mee, or other Judge in Testamentary Causes wthin this prouince.

Philip Caluert Secr.

Will^m Marshall acknowledgeth th^t hee hath the Estate of Thomas White deceased & apprayed as in the Inuentory to 8064^t Tob. w^{ch} s^d Estate hee doth hereby engage himselfe to see forth comming when hee shall bee, by the Secretary, or other lawfull authority in this prouince thereunto called

Will^m d^j marshall

Coram me Will^m Bretton.

Power of
Attorney Bee it knowne unto all men by these p^ents, th^t I Samuel Tilghman of Rachcliffe in the County of Middesex Mariner, haue ordeyned, made & in my place & stead haue putt, & constituted my trusty freind Henry Parnell of the Citty of London Chyrurgeon my true & lawfull Attorney, in my name, & for my use & behoofe to aske, leuy, recouer & receaue of all such person or persons whatsoever, th^t now doeth or hereafter shall stand, or be indebted to mee, wthin the Country of Virginia, or prouince of Maryland all such my debts, as my sayd Attorney can make appeare to bee due. As likewise to receaue all such writings, whither Bills, Bonds, or Accounts, or any other writing or writings whatsoever, And to reuoake all former Authorities w^{ch} haue bene gyuen to any person or persons whatsoever, Wth full power to conclude & agree in all accounts, & if need bee to appeare before all Judges & Justices in any Court or Courts, to answere, defend, & reply in all matters & causes that shall concerne mee to doe, say, pursue, implead, arrest, Seize, sequester, attatch, imprisone, & to condemme, & out of pryson to deliuer, fforther generally in & concerning the premises to use all lawfull meanes for the recouery of my right, eyther by suite of Law or other wayes as fully & amply, as my selfe might or could doe, if then & there I should bee personally present, and allsoe I doe declare th^t my sayd
p. 58 Attorney hath by these presents full power to acquitt & discharge in my name, whomsoever hee shall thinke fitt.

Signed Sealed & Deliuered in the p^ence of Samuel Tilghman
Josias ffendall
John Anderton.

ffrom Grauesend the 24th of Nouemb^r 1657

Tilghman's
Lre to Mr
Packer Mr Packer

Yo^r Good health wth yo^r Wife and Children desyred. This is to acquaint yoⁿ, that I not comming my selfe this yeare, haue ap-

poynted M^r Parnell to doe what busines might any wayes concerne mee: by whome allso I haue sent a small Cargo, I sent to yo^u formerly to certify yo^u, th^t M^r Lane forced mee to make good his bargaine, & hath turned it ouer to Cap^t ffendall, Therefore according to the Counter part now brought ouer by them, I desyre it may bee performed I hope M^r Parnell & yo^rselfe will make soe fayre & indifferent account that all parties will bee satisfyed, w^{ch} is my desyre: although I suffer some losse, the w^{ch} I cannot expect otherwise I shall neuer aduise any man to plant Sweet sented Tob. in Patowmeck Ryuer, ffor th^t w^{ch} I had of the Plantaōn for sweet sented. I thinke had I sold it, by it selfe, would scarce haue yeilded 40^o p^e hogshead, It being worse for sale, then my receaued Tob. by full a penny in a pownd. The greatest fault was: the want of substance. Pray lett mee heare from yo^u by the first conuenience. I hope to bee in the Countrey the first Ship the next yeare. M^r Parnell can certify yo^u, the cause of my staying, & likewise many other passages by word of mouth, th^t I shall omitt to wright, I haue not else, but wth my best respects to yo^r selfe, yo^r wife, Childre, & all o^r good freinds, I rest Yo^r louing ffreind

Liber
P. C. R.

Sam: Tilghman.

Endors. To my uery louing ffreind M^r Ed: Packer, lyuing att Maryland in Potowmeck Ryuer Att Wicocomoco

these dd.

Know all men by these p^ents th^t I Henry Potter of the hundred of S^t Michaelis, in the County of S^t Maries, in the prouince of Maryland Plant^r for & in consideraōn of the full & iust summe of Six hund^d pownds of Tob & cask, to mee in hand payd by Martin Kerke of the Hundred afores^d Plant^r w^{ch} I doe hereby acknowledge hath bene fully payd & satisfyed to mee by the s^d Martin Kerke, Haue graunted, bargayned sold, aliened enfeoffed & confirmed, & by these p^ents doe for mee & my heyres, graunt bargaine, sell, alien, enfeoffe & confirme unto the s^d Martin Kerke the moity, or one halfe of the plantaōn or Land, where I the s^d Henry Potter did about fve yeares last past dwell. The s^d Moity of the s^d plantaōn, conteyning by estimaōn Thirty Seauen Acres & a halfe of Land or thereabouts, To haue & to hold the Moity of the s^d plantaōn unto the s^d Martin Kerke, & his heyres for euer, ffor, by, & under the yearely Rent of halfe a Barrell of Corne, & fve pecks of Corne & one poultry & a halfe, to bee yearely payd, unto mee the s^d Henry Potter, my heyres & assignes for euer. And I the s^d Henry Potter my heyres the premises aboue graunted, bargayned & sold, & euery part thereof unto the s^d Martin Kerke, & his heyres & assignes for euer shall & will warrant, & agst all person & persons defend for euer by these p^ents. The Rent aboue recyted being well & truly payd or tendred to me the s^d Henry Potter my heyres & Assignes, att the now dwelling howse of mee the s^d

Henry
Potters
Deed to
Martin
Kerke

p. 59

Liber
P. C. R. Henry Potter uppon the feast day of the Birth of Our Lord God
or wthin Ten dayes before, or after yearely. In wittnes wherof I
the s^d Henry Potter haue hereunto sett my hand this Eight day of
May, Anō 1654

Henry + Potter

Signed & deliuered in the p^{nce} of
John Prince Marks Pheypo.

1 J. H. U. Att a Court Baron there held, on the 7th day of March 1656, by
Studies. Old James Gaylard Steward of M^{rs} Mary Brent, it is thus inrolled.
Md. Manors

12. vide 2 To this Court came Martin Kirke & tooke of the Lady here in full
Bozman 372 Court, by the deliury of the s^d Steward, By the rod, according to the
The Mannor of St Gabriel Custome of the sayd Mannor, One Messuage or Tenem^t, & Thirty
Seauen Acres & halfe of Land, Lying betweene Persymon Pond, &
the head of the Oyster Creek adioyning to the now dwelling howse
of the s^d Martin Kirke. To haue & to hold to him the s^d Martin
Kirke & his heyres for euer successiue according to the Custome
of the s^d Mannor, By the yearely rent of fieteene pecks of good
Indian Corne, & one fatt Capan or henne & halfe, And for a Herriott
halfe a barrell of like good Corne, or the value thereof & soe hee
the s^d Martin Kirke, hath done his fealty to the Lady, & is thereof
admitted Tenant.

May 20th Mary Brent.

Exaiēd by Ja Gaylord Stewad

Mr Tilgh- Know all men by these p^{nts} th^t I Samuel Tilghman of Racliffe
man's Bond Maryner doe acknowledge my selfe indebted unto Edward Packer &
to Mr Packer Henry Parnel of the Prouince of Maryland Gentⁿ the summe of fwe
hundred pownds sterl, to be payd uppon all demands. As wittnes
my hand this 8th day of May One thowsand six hund^d fifty & seauen.

p. 60 The Condicon of this Obligaōn is such, th^t if the aboue named
Samuel Tilghman doe stand to the Judgm^t & award of M^r Thomas
Gerard & M^r Henry Meese mutually chosen by the aboues^d parties,
to end & conclude all differences happening or being, betweene the
aboues^d parties, as Concerning the Plantaōn lately bought of Walter
Beane, & now in the possesⁿ of the parties abouesayd that then this
Obligaōn to bee uoyd, & of none effect, or ells to stand in full force
& uertue. Allso it is further agreed Betweene the parties aboues^d,
th^t if there shall happen any difference betwixt M^r Thomas Gerard,
& M^r Henry Meese th^t shall rest unresolved on: then the parties
aboues^d doe ioyntly chuse M^r Rob^t Slye as an Vmpyre to make a finall
conclusion. To whose iudgm^t wee likewise referre o^r selues, uppon
penalty of the sumsett aboue mentioned.

Samuel Tilghman.

Testis Edward Parkes.

Wee whose names are subscribed Being Arbitrator^{rs} chosen by M^r Henry Parnell for himselfe & Cap^t Tilghman & M^r Edward Packer, in a difference concerning the sale of a Plantaõn & all other goods & chattells sould therewth being in ioynt partnership Betwene the aboues^d parties, & now sould to Josias ffendall by the s^d Cap^t Tilghman & Henry Parnell.

Liber
P. C. R.
The Arbitrator^{rs}
Award &c

1 Wee award M^r Edward Packer to resigne ouer all his right, tittle, & interest, w^{ch} doth belong to him of the s^d Plantaõn, goods & chattles, or of any of the Estate, thing or things, th^t is in Copartnership betweene Cap^t Samuel Tilghman, Henry Parnell & the s^d Edward Packer unto M^r Henry Parnell wthin fowrteene dayes.

2 Wee award M^r Henry Parnell to pay unto M^r Edward Packer fourteene thowsand pownds weight of good Tob, & cask, (Viz) Sixe Thowsand weight of Tob & cask present, ffowre Thowsand weight of Tob, in Nouemb^r next & fowre thowsand weight of Tob in Año (59). And th^t the s^d M^r Henry Parnell shall giue the s^d M^r Edward Packer good security for the paym^t of the aboues^d summe of Tob.

3 Wee award M^r Henry Parnell for himselfe, & Cap^t Samuel Tilghman shall giue the s^d M^r Edward Packer a generall release, concerning the whole busines, about the plantaõn & those things th^t did or doe belong thereunto. And allso the s^d M^r Edw. Packer shall giue a generall release to M^r Parnell for himselfe & Cap^t Tilghman.

This is the finall determinaõn & award of Vs, whose names are subscribed hereunto the 6th day of March 1657.

Signed in the pnce of Vs Tho: Gerard Henry Meese
Philip Calvert Rob^t Slye Walter Brodhurst.
Edward Parkes

James Hall demandeth warr^t agst Richard Abell, Rich: True & Humphry Howell, in an accõn of the Case, warr^t to the Sheriffe of S^t Maries & Caluert County to arrest &c: Ret next prouinciall Court, to bee holden 8^o Septemb^r next.

p. 61
May 25th
Hall v.
Abell et al.

Will^m Edwin demandeth warr^t agst Maurice Smith, in an accõn of Debt to the valew of 250^t Tob.

Edwin v.
Smith

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret, ut Suprà

Will^m Boreman demandeth warr^t agst John Chareman in an accõn of Debt, to the ualew of 8000^t Tob.

May 27th
Boreman v.
Chareman

Warr^t to the Sheriffe of Charles County to arrest &c: Ret. next Pro: Court to be holden 8^o Septemb. next.

Sup. poen. James Lindsey to testify in ditt caâ. pro p^{tf}.

Sub poen. Will^m Head & John Charon to testify ut suprà pro dēft.

Liber
P. C. R.
Langworth
v. Smith James Langworth demandeth warr^t agst Emperour Smith in an accōn of Defamaōn.
Warr^t to the Sheriffe of Caluert County to arrest &c: Ret next Prouincial Court, ut suprā.

Jenkins v. John Jenkins demandeth Writt *Scire facias* agst Cloues Mace, for
Mace 338^t Tob, according to an Order of Court, obteyned agst the s^d mace
[Vide 10 Archives by Thomas Bachelo^r deceased att a Court held att S^t Maries 24 May
387] 1654. The s^d Jnkns hauing marryed the Relict of the s^d Bachelo^r

Cæcilius Absolute Lord & Proprietary of the Prouince of Maryland &c: To Nicholas Gwyther gentⁿ Sheriffe of the County of S^t Maries. Because th^t Cloues Mace of New Towne hund^d ought to haue payd to Thomas Bachelo^r of Cedar Poynt in Charles County, the summe of Three hund^d thirty Eight pownds of Tob & cask, uppon the Tenth of Nouemb^r 1654 as appeareth to Vs uppon ueiw of the Records of Our Prouinciall Court, w^{ch} are yett unpaid as is alleaged. Wee Command yo^u th^t yo^u make knowne unto the s^d Cloues Mace th^t hee bee att our Prouinciall Court on the 8th of September next, wheresoeu^r it be held, To shew if hee haue any thing to say why the s^d Tob. should not be leuyed uppon his lands, goods, & chattles: & to the Executo^{rs} of the s^d Thomas Bachelo^r be deliuered, according to the force & effect of the s^d Judgment. And haue you there the names of those persons by whom you haue made this knowne unto him, & allsoe this Our writt Guyen att S^t Maries 27^o May 1658.

Adams v. Henry Adams (p^e Attornat Nicholas Gwyther) demandeth At-
Parnell tatchm^t agst Henry Parnell, in an accōn of 992^t Tob. principall debt.
Attatchm^t to the Sheriffe of S^t Maries County for 1200^t Tob.
Ret. next Prou: Court. 8^o Septemb^r next.

Parker v. Samuel Parker demandeth writt of *Scire facias* agst George
Goodrick Goodrick, the Admistrato^r of the Estate of Cap^t Will^m Lewis de-
Admin^r ceased according to an Order of Court obteyned for one Thowsand
p. 62 pownds of Tob. & cask, 29 Decemb^r 1657.
Writt of Scire facias, ut folio ante, 61.

Empson v. Will^m Empson demandeth writt of *Scire facias* agst Edmond
Lindsey Lindsey for 365^t Tob. according to an Order of Court obteyned for
that quan^{ty} wth costs of suite 31 Decemb^r 1657.
Writt of Scire facias ut antè fol. 61^o.

June 3^o John Jarbo demandeth Attatchm^t agst the Estate of Ryce Mat-
Jarboe v. tocke of Nomeny for 300^t Tob.
Mattocke Warr^t to the Sheriffe of S^t Maries County to attatch &c: Ret next
Prouinciall Court, to be held 8^o Septemb^r

Mr John Anderton recordeth his marke Viz. Both eares upper halfd, or cutt out; wth a nick under the right eare.

Liber
P. C. R.
Mr Jno.
Anderton's
mark, cattle
& hoggs
June 12^o
Cornwaleys
v. Bonham
et al.

Cap^t Thomas Cornewalleys demandeth warr^t agst Samuel Bonham & John Lord in an accōn of Debt.

Warr^t to the Sheriffe of Caluert County, & all other respective Sheriffs, of each seuerall County to arrest &c: Ret next Prouinciall Court to be held 8 Septemb^r

Attatchm^t granted to Walter Hall, agst Henry Payton for 1200^t Tob, according to an Order last Prouinciall Court made & obteyned 30th Aprill, 1658, & Ret. 8^o Septemb^r next

Hall v.
Payton

George Mee demandeth warr^t agst Edmund Lindsey in an accōn of Debt to the ualew of 1600^t Tob.

Mee v.
Lindsey

Warr^t to the Sheriffe of Charles County to arrest &c: Ret next Prouinciall Court to be held 8 Septemb^r next.

James Veitch demandeth warr^t agst Will^m Robinson in an accōn of the Case.

Veitch v.
Robinson

Warr^t to the Sheriffe of Charles County to arrest &c: Ret. next Prouinciall Court ut suprà.

Robert Macklin recordeth his mark &c: Viz The Right eare Crop't, & underkeel'd, wth a slitt in the Crop, The Left eare, whole

Robt Mack-
lin's mark,
cattle &c.

Aprill the 2^d Año dui 1655.

June 15th
p. 63

Know all men by these p^ents th^t I James Johnson haue sold & deliuered to Robert Macklin one Red Cow, marked wth my owne proper marke, in consideraōn of building me the afores^d James a Howse, And doe by these p^ents bind my selfe, to make good the sale of the sayd Cow, unto the afores^d Macklin or his Assignes, agst all Just claimes whatsoever As wittnes my hand.

Testis John Wade
Zachary Wade.

James Johnson.

Octob^r 29th 1656

Sould & deliuered by me Robert Clarke, unto Robert Macklin One black Cow aged Six yeares or thereabouts, commonly knowne by the name of ffoole, Which sale & deliuey I doe & will auouch and meinteyne agst all lawfull claimes. Wittnes my hand they day & yeare aboue written.

Wittnes Signu John g Clarke

Rob^t Clarke.

Liber
P. C. R. Octob^r 29th 1656.

Sould & deliuered by me Robert Clarke, unto Robert Macklin one Red heifer, aged three yeares, or thereabouts: marked on the right eare wth a Swallow Tayle: & on the left eare wth a Cross now goeing wth John Wheatelies Cattle: W^{ch} true Sale I will & doe auouch agst all lawfull claimes. Wittnes my hand the day & yeare aboue written.

Wittnes Signu John g Clarke.

Rob^t Clarke.

June 18th
Watts v.
Veitch Alexander Watts demandeth warr^t agst James Veitch, in an accōn of the Case.

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret. next Pro: Court to bee held 8^o Sptemb^r next.

Bowlin v.
Anderton James Bowlin demandeth warr^t agst M^r John Anderton, in an accōn of the Case.

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret. next Prouinciall Court, 8^o Septemb^r ut Suprà.

p. 64
Hamilton v.
Waring John Hamilton demandeth warr^t agst Sampson Waring, in an accōn of the Case.

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret next Prouinciall Court to held in the County of Caluer. 8^o Septemb^r

Trueman v.
Stephens Thomas Trueman demandeth warr^t agst Will^m Stephens, in an accōn of the Case.

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret. next Prouinciall Court 8^o Septemb^r ut suprà.

Mullikin v.
Coursey Sub poena to the Sheriffe of the County of Caluert, to warne Thomas Brampson to be att the next Prouinciall Court to bee held 8^o Septemb^r next, to testify his knowledge in a Cause depending betwixt James Mullekin, & Henry Cowsrey Gentⁿ (w^{ch} cause was respited the last Prouinciall Court) att the request of the s^d Mullekin.

Lumbrozo v.
Ferreira Subpoena likewise to the sheriffe of Caluert County To warne Henry Hooper to be att the next Prou^e Court to bee held 8^o 7^{ber} next, to testify his knowledge in a cause depending betwixt Jacob Lumbrozo & Daudid ffereira, (w^{ch} cause was likewise respited last Prouinciall Court) att the request of the s^d Lumbrozo

Thickpenny
v. Johnson Henry Thickpenny demandeth warr^t agst Cornelius Johnson, in an accōn of Debt of 1200^t Tob. & cask.

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret next Prouinciall Court to be held 8^o 7^{ber} next.

Aaron Jacobson demandeth writt of *Scire facias* agst John Little for one hund^d eighty five pownds Tob. wth costs of suite, Besides Two hund^d pownds of Tob. for Court charges, according to an Order of Court, made, att Patux^t 4^o Nouemb^r 1657. Liber
P. C. R.
Jacobson v.
Little

Writt of *Scire facias* to the Sheriffe of the County of Caluert Ret. 8^o Septemb^r next. Vid. writt Suprà fol. 61.

Jacob Lumbrozo demandeth writt of *Scire facias*, agst Cornelius Abraham for fowre hundred pownds of Tob. & cask, wth costs of suite, according to a Judgm^t acknowledged by the s^d Abraham to the s^d Lumbrozo, att a Court held att Patux^t 31 Decemb^r 1657. Lumbrozo v.
Abraham

Writt of *Scire facias*, to the Sheriffe of the County of Caluert, Ret. 8^o Septemb^r next ut Suprà, Vid. writt. fol. 61.

Cap^t Will^m Stone demandeth warr^t agst John Harwood in an accōn of the Case. 19 June
p. 65
Stone v.
Harwood

Warr^t to the Sheriffe of S^t Maris County to arrest &c: Ret. next Prouinciall Court to be held 8^o Septemb^r next.

Sub. pœna Alicie Harrise, to testify indit caâ. Ret Eod.

Charles Maynard demandeth writt, agst Thomas Gerard Esq^r in an accōn of the Case. Maynard v.
Gerard

Summons to M^r Thomas Gerard, to be att the next Prouinciall Court, to be held 8^o Septemb^r

Subpan. Thomas Dinian, Rob^t Thomas, & Edward Turner to be att the next Court, to testify in caâ Suprà Ret. Eod.

Rob^t Cole demandeth writt for Will^m Edwin & his Wife, to testify their knowledge what they can say or know, whither or noe eyther of them did heare M^r Benjamin Gill acknowledge th^t Rob^t Cole, was his kinsman, or whither th^t they euer heard the s^d Gill (lying sick att their howse) declare, th^t hee had, or would dispose of all or any of his Estate to him, the s^d Cole, in case he then should happen to dye. Re Gill's
Estate

Subpœna to the Sheriffe of S^t Maries County to warne &c: ut Suprà Ret. next prouinciall Court, to be held 8^o Septemb^r

M^r Phillip Land sworne Cunstale of S^t Maries hundred as in the Cunstables Oath Suprà folio 56. Constable

Summons issued to the Sheriffe of Charles County, on the behalfe of Cap^t Thomas Cornewalleys, agst M^r Job Chander, according to an Order passed last prouinciall Court 30th Aprill 1658, Ret. next prouinciall Court to be held 8^o Septemb^r Cornwaleys
v. Chandler

Liber Philip Caluert As Attorney of the L^d Prop^e demandeth warr^t Agst
P. C. R. Rich: Hotskeys in an Accōn of Detinew, to the value 2500^t Tob.
Attorney General warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret next
v. Hotskeys Prouinciall Court to be held 8^o Septemb^r

Russell v. Christopher Russell demandeth for Walter Hall Adm̃istrato^e of
Hall the Estate of ffrancis Poesey Deceased, seauen hund^d pownds of Tob.
Admin^r

June 21th A True & perfect Inuentory of such goods & cattle, w^{ch} were
p. 66 brought forth by Rob^t Cole, unto the Apprayers (Will^m Assiter &
Re Gill's Es- Richard ffostar) formerly belonging to M^r Benjamin Gill deceased.
tate

Imp ^e 3 yearelings	0700
2 heyfers & a calfe	0950
2 Browne Cowes, 1 Cow calfe & 1 bull calfe	1200
2 black Cowes, 1 Cow calfe & 1 bull calfe	1000
2 young Steeres & a Bull	0900
one Table	0060
3 Chayres, & 3 stooles	0140
one old Bed, 1 old pillow, & 1 old Rugge	0130
A parcell of old pewter, & an old earthe ^r pott	0050
One old iron Kettle	0020
Some old Bookes	0040
A Small parcell of hooks & eyes, & thread } & an old Barbers Case }	0015
A parcell of old cloathes	0200
A parcell of old Linnen	0150
2 old Chests	0100
<hr/>	
2 marking irons, an old Andiron & } an old warming pan }	0020
<hr/>	

The Total 5675

All these aboue specified things were apprayed, according to the
prices aboue mentioned by vs Will^m Assiter & Richard ffoster, being
sworne apprayers, to apprayse the afores^d Estate of M^r Rob^t Slye,
as wittnes our hands this 8th of June 1658

Will^m Assiter Rich: W. ffoster

May 25th Philip Land Examined sayth uppon Oath, That being the last
1658 Court att Patux^t & in Company wth Will^m Lewcas, & Cap^t Waring,
Re Gaylord Stephen Gaylord came amongst them, And after a while, Will^m
Lewcas making semblance to be gone, sayd, th^t he could stay noe
longer ffor he must goe to schoole, otherwise hee should be whipped,
Cap^t Waring replied, had there bene none wiser then I, yo^u should

neuer haue kept schoole there & thereuppon M^r Gaylourd spake, Saying, They were a Company of fooles of them, to doe, as they did, & Will^m Lewcas being gone, the s^d Gaylourd conferring wth this Depon^t Related how th^t the Gou^r was angry wth him & hee knew not for what, Adding, That hee had best bee good in his office, (to witt the Gouverno^r) & other words to the same effect, & touching the gouern^t w^{ch} hee now remembreth not.

Phillip Land

Jurat Corà Philip Calvert Sêcr.

Robert Shele recordeth his marke of Cattle &c: (Viz) Both Eares Cropd, wth a piece taken out in the Crop, only the left eare hath a nick, or peice taken out on both sides of the former peice in manner of a Crosse, as it is noted in the margent.

Robert
Shele's mrk.

John Metcalfe recordeth his marke of cattle &c: (Viz) ouer & underkeeld on the right eare, wth a hole in the same eare, The left eare swallow forced.

M^r Met-
calf's mrk

Nicholas Keytin demandeth warr^t agst Rob^t Gwest in an accōn of the case to the valew of 400^t Tob.

July 5^o
Keytin v.
Gwest

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next Prouinciall Court to be held 8^o Septemb^r next.

March 5th 1657.

These p^{nts} wittnes th^t I Philip Caluert, doe exchange one Red-pyde heifer, being att Thomas Phillips his howse att New-Towne, & formerly belonging to the stock of Cattle, w^{ch} was M^{rs} Eures, & yett unmarked for another Red heifer, belonging to Randall Hanson, being att the howse of Richard Willan. And I doe hereby authorize, the s^d Randell to marke the s^d Red-pyde heifer wth his owne marke w^{ch} is Cropt of the Right Eare, & ouer keeled, & under keeled of the same, & slitt of the Left Eare & the upper part cutt away. As wittnes my hand, the day & yeare aboue written.

Randall
Hanson's
marke of
CattleTestis Will^m Bretton.

Philip Caluert

M^{rs} Jane Eltonhead demandeth warr^t agst M^r Robert Clearke for 2200^t Tob. in cask

July 8^o
Eltonhead
v. Clarke

Summons to M^r Rob^t Clearke to answeare att the next Prouinciall Court, to be held 8^o Septemb^r

Symon Ouerzee demandeth warr^t agst Aurthure Ludford in an accō of the Case.

Overzee v.
Ludford

Warr^t to the Sheriffe of Calu^t County to arrest &c: Ret. next Prouinciall Court ut Suprà.

A true & p^efect Account of the Estate of Will^m Thompson Deceased.

Re Thomp-
son's Estate
p. 68

Liber P. C. R.	The Estate is Deb ^e	
	Imp ^r To funerall charges	165
	It. To hyre of Boate 3 dayes, & me &c:	300
	To the Doctor for physick	200
	To Court charges	391
	To my attendance att seuerall Courts att S ^t Maries & dyett att	300
	Ordinary	1356

Debts payd & satisfied.

To Raph Beane	4453
To Thomas Thomas	0780
To last yeares Leauy	0060
To Michael Brooks	0116
To a debt of a Cow calfe to J ^{no} Normans daughter in Law & a barrell of Corne	0300
To Henry ffox	0080
To Skipper Direckson	0202
To Surueyo ^e ffee of Land	0230
To John Maunsell	0140
To M ^r W ^m Brough	0430
To Rob ^t Robins	0329
To John Grimsditch	0055
To Paul Simpsons Bill & M ^r Tho: Copley for physick	0250
	7425

The Estate is Cred^r

[Vide 4 Archives 534]	By appraysm ^t as appeares uppon Record att S ^t Maries &c: apprayed	9265
	31 ^o Jan: 1649.	
	By 250 ^t Tob. since fownd & not charged in the Inuentory	0250

The Total, 9515

To 10 ^t p ^e cent ffee for paying &c:	0880
To six shotes apprayed in the Inuentory not yett fownd in the Estate	0130
	1010

The Total —9791

All acc^{ts} ballanced The Estate
is Deb^e — 0276^t Tob.This is the acc^t of M^r Thompsons EstateWill^m Euans

Arthure Lunford demandeth warr^t agst John Stephens in an accōn of the Case.

Liber
P. C. R.
p. 69
Lunford v.
Stephens

Warr^t to the Sheriffe of S^t Maries to arrest &c: Ret. next Prouinciall Court to be held 8^o Septemb^r

Thomas Seymour demandeth warr^t agst Stephen Gary in an accōn of the Case

Seymour v.
Gary

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret. next Prouinciall Court ut Suprà.

Subpœna to the Sheriffe of Caluert County to warne John Hamilton, Mich: Baysy, Jos. Edlow & Math Smith to bee att the Court to testify in dittâ caâ, uppon the forfeiture of 500^t Tob.

An Inuentory of the Estate of Will^m Eltonhead Esq^r deceased apprayed by John Holfhead, Barnaby Jackson, Robert Taylor, & George Reade, according to an Order of Court.

Re Elton-
head's Es-
tate
Vide Order
p. 42

Impr. Eleauen hundred & thirty Acres of Land } att 500^t Tob for euery hund^d Acres } 5500

It. Three small Steeres 1000

One male, & one female yearelings 0200

Two Boy seruants 2100

ffue Soves, ffue Barrowes & One Bore 1500

Nineteene Yowng Shoates 0500

one suite of old striped Curtaines, & one Carpett } & 2 old Ruggs, & 2 old blanketts & one old Cattayle } 0350
Bed, & one suite of greene Curtaines, & one great
Carpett & one Bedstead }

ffowre old Guns unfixed 0200

ffueteene pewter plates, one small flagon, one }
pewter dish, 2 chamber-potts, one Saltceller, & } 0042.
one candlestick, & 2 porringers }

Eight milk-Trayes 0030

one parcell of Old iron, & one Cros-saw 0060

one Sun-dyall, & one Grindstone 0020

one Bill of Thomas Hampers 0800

Receaved of the Scotchmen 1900

Two Shoates, w^{ch} were in the woods when the Apprayers }
were here, & not yett apprayed. }

Signed by 14202

John Holfhead Rob^t Taylor
Barnaby Jackson [George] Reade

This Day came Barnaby Jackson, and acknowledgeth to haue gyuen & deliuered to ffrancis Goodrick his Brother in Law one Cow Calfe, slitt in the Right eare & underkeeld. The Left eare,

p. 70
francis
Goodricks
marke of
Cattle

Liber the Upper part thereof halfed (to witt) slitt & the peice cutt away, &
P. C. R. underkeeld w^{ch} is to aduance him a portion.

Recognit Cora me Will^m Bretton.

Barnaby Jackson

Re Quakers
vide 3 Md.
Arch. Coun.
348

Whereas I am credibly informed th^t Josias Cole, & Thomas Thurston haue presumed contrary to a Proclamaõn Bearing date the 13th of Aprill last past, to remaine in this prouince wthout gyuing in their names to the Gou^r, or Secretary wth in one month after their s^d Arryuall, or taking Oath of ffidelity to the L^d Prop^r of the same. And not only soe, But haue & still goe on, to seduce many of the poeple unto erroneous & blasphemous Tenetts.

These are therfore in the name of the L^d Prop^e to will & requyre you, to apprehend the Bodies of Josias Cole, & Thomas Thurstone, them, or eyther of them, & secure the same in yo^r Custody wthout Bayle, or Maineprize untill they haue made their appearance before me & the Councell, to make answeere to such Crimes, as are obiected agst them, & for soe doeing this shall bee yo^r warr^t Gyueⁿ under my hand this 8th day of July, Año 1658

Josias ffendall

To the Sheriffe of Caluert County or any other the Sheriffs in the Prouince of Maryland.

July 10th
Re Hatton's
fees

Whereas M^r Thomas Hatton, late Secretary of this prouince of Maryland Deceased, had in his life time many debts due for ffees, fro^m seuerall Inhab^{ts} wth in this prouince w^{ch} by occasion of the late troubles (the s^d M^r Hatton, & allso his Exequuto^{rs} since, being obstructed the collecting thereof) are not yett payd or satisfyed.

These are therfore to impower the respectiue Sheriffs of the seuerall Counties wth in this prouince To Leauy by way of Exequuõn, wth in the respective precincts, the s^d ffees belonging to the s^d M^r Hatton uppon any the goods, Debts, or chattles of all, or any the respective Deb^{rs}, uppoⁿ default of paym^t, to the ualew of the Debt, Justly due from them, or any of them for ffees: & the same soe Leauyed, deliuer unto Patrick fforrest, Trustee for the s^d M^r Hatton Childre^r, & for soe doeing this shall be yo^r warr^t Gyuen under my hand this 10th day of July, Año Dñi 1658

Josias ffendall

Kent
Caluert } Counties

To the Sheriffe of S^t Maries }

July 16th
Re Quakers
p. 71

Whereas Josias Cole hath lately come into this prouince, & made his abode here, wth out gyuing notice thereof to the Gou^e or Secretary, or taking the Oath of ffidelity to his L^p Contrary to the Teno^e of a Proclamaõn Bearing date 13^o Aprill 1658.

warr^t Gyuen this 16th day of July 1658. Jos. ffendall.
To the Sheriffe of Anarundell
County his Dep^{ty} or Dep^{teis}

Kent Co. Ct.
Recs.
p. 101
1658
July 20

Henry Clay swareth the
same verbatim wth his wife
in open Court

Kent Co.
Ct. Recs.

The deposiōn of Henry Coursey Aged 29 yeres or thereabouts saith th^t in or About June 1654 as this depon^t doth to the best of his Knowledge Remb. he beinge then at the House of M^r Tho: Bradnox vpon the Isle of Kent wthin this Province of Mariland. Francis Brookes did desire this depon^t to make a bill of sale for John Salter of the Isle of Kent for a Tract of Land wthin this Province. But where or in what p^t of the s^d prouince This Depon^t doth not Rememb. And ffurther this depon^t Knoweth not.

Sworne this 3^d of Oct. 1657

Henry Coursey C^lke

Coram me Ric. Preston

The desposiōn of Thomas South Aged 36 yeares or thereabouts taken in Court 25th of Aprill 1655 Sworne Examined & Saith that about the middle of July last past Francis Brookes of Mariland Came to the place where the depon^t lived & tould him th^t he had given John Salter Posesiōn of Bever necke, and vpon th^t Posiōn given, your
p. 103 Depon^t came there to live as Copartner in the Planta. wth the s^d Salter And ffurther saith not.

M^r Tho: Ringgold sworne in Court saith That yo^r Depon^t was requested by Francis Brookes fower or five yeares since to goe wth him vnto Bever necke ffor the Gover^r had sent a war^t vpp vnto the Comiss^{rs} of Kent to give the said Francis Brookes posiōn of that Land afore mentioned, But your Depon^t cannot verie well rememb. whether it was from Capt. Stone or M^r Clarke & to the best of yo^r Depon^{ts} remembrance when the s^d ffrancis came vnto Isaacke Ilines And demanded posiōn of the s^d Land, and shewed him the war^t & the s^d Iline gave the s^d Brookes possesiōn by goeing out of doores & did give him ffree Possesiōn.

Tho: Ringgold p me W^m Leedes C^lke.

1658 This is to testifie to whom It may concerne, That Francis Brooke, of this Province did pas a bill of sale ffor a Plantacōn Called Bever Necke vnto John Salter, w^{ch} bill of sale I have seene & allsoe heard Francis Brooke confesse the same, for Truth whereof, I have here vnto subscribed Kent 8th 4th Mo.

W^m ffuller

The Deposiōn of M^r Tho: Bradnox Aged 58 yeares or thereabouts taken in Court sworne Examined saith.

That some time in July 1654 John Salter desired yo^r Depon^t &
p. 104 Roger Baxter to witnesse to an Agreem^t for A Plantacōn th^t John Salter Bought of M^r ffr. Brooke of Mariland, w^{ch} Plantcōn is Comonly Called by the name of Bever necke, vpon the Isle of Kent &

their bargaine and agreem^t was as followeth. That the afores^d Kent Co.
Brookes was to give & deliver vnto the afores^d John Salter peacable Ct. Recs.
and quiet posestion of the afores^d Plantacōn & to give him a good
suffitient Consideration for the s^d Land, and that hee would likewise
defend & save harmelesse the ffores^d Salter his heires or Assignes
forever, from all p^rsons what soever, that should by any Title or
clame molest disturbe or disquiet the s^d Salter his Exo^{rs} or Assignes
in his Peacable or quiet Possesiōn & enioymt of the afores^d Planta-
con; In consideracōn of the afores^d agreem^t of the afores^d Plantacōn,
well & truly to be p^rformed by the s^d Brookes, the s^d John his Exc^{ts}
or Assignes was to pay vnto the s^d Brookes his Ex^{rs} or Assignes 3000^t
of good Condi^cnd Tob. & Caske, w^{ch} some of Tob was to be payd
1500th of Tob. after the s^d Salter had posest the Plantacōns in manner
& forme as afores^d one yeare, w^{ch} was to be in the yeare 55 & the
other 1500^t of Tob. in the yeare 1656 this was the full agreem^t
betwixt them & further saith not.

Jurat Coram me
Phill: Conner.

Tho T Bradnox
his signe

The deposiōn of Roger Baxter Aged 46 yeares or thereabouts p. 105
taken in p^rsence of the Court, Saith That the s^d Baxter doth afferme
the same that is in M^r Bradnox Oath Verbatim and further saith not

Jurat Coram me
Phill Conner

Roger R. B. Baxter
his signe

M^r Henry Morgan sworne in Court saith that about some 5 years
since or thereabouts, yo^r Depon^t was desired by ffrancis Brookes to
goe a longe with him to see if M^r Iline would give him possōn of
Bever necke for the Gov^r or M^r Clarke had sent vp A war^t vnto the
Comisōn^{rs} of Kent to give him quiet Possiōn soe yo^r depon^t did tell
him th^t he would goe with him but he would not medle wth him in any
such thing soe yo^r depon^t being there the said ffran: Brookes rec^d
Satisfac. but whether or how he had Possesōn he cannot say further,
to the best of his Knowledge

Vera Copia: p me W^m Leedes Clk.

Hen: M Morgan
his Marke

The Deposiōn of M^r Tho. Bradnox Aged 58 yeare or thereabouts
sworne saith Sept. 16th 1657 That John Salter hired A Plantacōn
of this depon^t for two yeares last past w^{ch} the afores^d Salter hath
payd According to Agreem^t vnto this Depon^t six hundred pounds of p. 106
Tob p yeare & further saith not,

Jurat Coram me
Phillip Conner

Tho: T Bradnox
his marke

Kent Co. The Deposiōn of M^r Tho: Bradnox Aged 58 yeares or there-
Ct. Recs. abouts, sworne examined saith Sept. 16th 1657 That about three
yeares last past, Isacke Iline did acknowledge in this depon^{ts} house
That Capt. Stone did pswade M^r Francis Brookes of Mariland to
let the s^d Iline Enjoy the Plantacōn th^t was vpon the Isle of Kent,
That is the s^d Brookes his Prop^r right in Consideracōn th^t the s^d Iline
had Built A pretty House vpon the fores^d Plantacōn Comonly Called
Beaver necke And th^t the s^d Iline did Acknowledge th^t he was to pay
to the s^d Brookes for Acknowledgm^t for one year A Case of sacke &
ffurther saith not.

Jut. Coram me
Phill. Conner

Tho T Bradnox
his marke

Mrs. Mary Bradnox the wife of Tho: Bradnox afores^d affirms
the same wth her husband Virbat vpon her Oath & further saith not.

Jurat Corm. me
Phill. Conner.

Mary Bradnox

p. 107 Know all men by these p^rsents That I John Salter of the Isle of
Kent Count. in the Province of Mariland Plant. doe Appoint &
ordaine John Coursey Gent. in my stead to be my true & Lawfull
Atturney, in all Causes & suites Commenst or to be Commenst against
any wthin the said Province, for me & in my behalfe to Arrest sue
Implead, Imprison, & againe out of prison to release, to receive for
me & to my vse, what goods or Tob shall be to me Lawfully Recorded
& to give discharge or discharges in my name & this to stand to all
Lawfull Intents & Purposes whatsoever, Witnesse my hand this 7th
day of Ap^r 1658

Testis Edd. Coppage
Peter Parker

John † Salter
his marke

To the Right Hon^{ble} Governo^r & Counsell of the Province of
Mariland

The Humble Peticōn of John Salter
Sheweth

p. 108 That whereas this Pet^r agreed & bargained wth francis Brookes
of Mariland sometime in July 1654 for A Plantⁿ comonly Called by
the name of Bever Necke, And after this Pet^r had received Peacable
& quiet Posiōn of the s^d Land & did in like maner Enjoy the same for
the space of fower or five moneths, And Isaack Iline beinge then
resident likewise vpon the s^d Plantac. by the p^mission & desire of the
s^d Brookes vpon this Agreem^t with this Peti^r for the said Land,
desired this Pete^r th^t the said Iline might not be molested in the

ffinishing of his Cropp th^t he had planted th^t yeare vpon the Plantacōn afores^d w^{ch} yo^r Peti^r did willingly agree vnto: But soe it was th^t the s^d Iline at Oct. Court in the yeare afores^d Commenced a suite of Law Against the afores^d Brookes for his vnjust Molestacōn of the s^d Iline upon the s^d Plantac. p^rtending A Right & Title therevnto w^{ch} the s^d Brookes through his obstinance or willfullnesse, or dislike to the then p^rsent Govern^t in hopes & Expectacōn of A suddaine alteracōn thereof, or for what other Causes or reasons I Know not. But the s^d Brookes would not make any defence, or Pleas against the s^d Iline by w^{ch} meanes the s^d Iline obtained an order from the s^d Court, to recover his damages of any th^t had molested him in his p^rtended title to the s^d Land w^{ch} this Pet^r beinge p^rsent at the said Court exhibited a Bill of Sale th^t he had of the s^d Brooks for the afores^d Land, w^{ch} the said Brookes did not disowne But did ffreely Acknowledge the same, And did declare That he did not thereby vnjustly molest the s^d Iline & further the s^d Iline Prosecuted this Pet^r in the Action or suite afores^d at the next Court holden for Kent where yo^r Pet^r was Cast in the s^d Action By w^{ch} yo^r Pet^r was Disposest of his Plant, & ordred to pay the Charge of the afores^d suite, w^{ch} did Amount vnto 747^t Tob. & Caske, And notwthstandinge all the afores^d p^rceedings, yo^r Pet^r is able to prove, th^t the s^d Iline had noe other Just Title vnto the afores^d Land, But mayd vse thereof only by p^rmission of the s^d Brookes & Rent payd by the said Iline vnto the s^d Brookes for the s^d Land, for one yeare According to Agreem^t By w^{ch} p^rceedings It appeares th^t the s^d Iline by his p^rtended Title & his Illegall p^rceedings, hath most vnjustly molested & disposest yo^r Pet^r of his Just Right & Intrest to the s^d Land, And that likewise M^r Tho: South who hath bought the p^rtended title of the s^d Iline or any other th^t are now Posest, of the s^d Land ware not unacquainted with the damage & great sufferings of yo^r Pet^r & his Just title vnto the said land, doe not onely Keepe Posescōn thereof and have mayd vse of the same for their prof^{tt} & Advantage from the 25th of Aprill 1655, wth out any Consideracōn or Composicōn, mayd wth yo^r Pet^r But have on the Contrary vsed all wayes & menes, most Illegally and vniustly to Circumvent & Defeate yo^r Pet^r forever of his just clame & Title therevnto, And as yo^r Pet^r doth humbly Conceive, may be found Contrary & repugnant to Law in such Cases p^rvided, for the now Possesers of the sd Land, Knowing It to bee suficiently Proved th^t the afores^d p^rtended Title of the s^d Iline to bee of noe Vallue; have Applied th^mselves And p^rswaded the said Brookes to purchase from him if possible they might some better Title. Allthough they knew & ware Acquainted wth the afores^d Bargaine & Sale th^t the said Brookes mayd of the s^d Land, vnto yo^r Pet^r yet have they p^rvailed wth the s^d Brookes to make a second Sale thereof vnto them, as will Appeare by A deed of sale th^t hath been privately Entred vpon the Record of

Kent Co.
Ct. Recs.

p. 109

p. 110

Kent Co. Kent, bearinge date 26th of Sept. 1656 wth Illegal & vniust Actions
Ct. Recs. of purpose to Beguile & vtterly to Defeate yo^r Pet^r of his just Right &
Intrest to the Plantacōn aforesaid.

The p^rmises Considered

Your Pet^r humbly Craves this Hon^{ble} Court to grant order, th^t yo^r Pet^r may be reposest wth the afores^d Land soe farr as It may appeare wth Law, Equity, or Justice to be yo^r Pet^{rs} Right, And th^t the afores^d Iline or South, or any other, th^t have by any vniust or Illegal wayes or menes beene the occation of yo^r Pet^{rs} disposiō or detention of his just Right & Title from him may bee likewise ordered by this Court to pay such Cost and damage As yo^r Pet^r can justly prove th^t hee hath sustained Either by their vnjust molestacōn or Possescōn or illegal detencōn of the afores^d Land and pay Cost of suite.

And as in Duty bound yo^r Pet^r shall ever pray &c.

p. 111 Elizabeth Clay sworne 19th day of July 1658 vpon Interrogatives w^{ch} are Annexed herevnto.

To the first Interrogatory shee Answereth affirmitively To the Second th^t Francis Brookes M^r Morgan & M^r Ringgold were there, shee answareth allsoe affirmatively

To the 3^d whether Iline gave posiōn or noe, Shee knoweth not But saith th^t Fran : Brookes demanded Posesⁿ

To the 4th Concerninge Ilines answar, shee remembreth not only th^t the s^d Iline denied him posiōn.

Eliz: B Clay: her marke

That About 6 or 7 yeares since whether or noe you ware not At the house of Isacke Iline, all th^t time th^t ffrancis Brookes & M^r Morgan & M^r Ringgold was there & whether the s^d Iline did in that time give the said M^r Brookes Posion: And allsoe to declare what M^r Ilines answar was to the s^d M^r Brookes.

John Salter
v. Tho
South

The Plantife demands the Plantacōn vpon Bever Necke fformely belonginge to John Gresham & fforfited to the Lord Propriatory: by his Rebellion & Treason, And Produces a spetiall war^t from his Lorp^s to the Gouer^r bearinge date the 26th August 1651 to Passe a grant of the s^d Plantacōn to the s^d Brookes, ffrom whom the s^d Salter deriveth his Title by Convayance

p. 112 The Deffend^t alledges he hath a Convayance from Isacke Iline who was Possesed of the s^d Land by vertue of A war^t upon the Condicōns of Plantacōns granted by Cap^t Stone, & th^t A Cirtificate of survey, was there vpon returned 18th August 1658 wherevpon they Joyne Issue.

Therefore It is Considered by the Court th^t the war^t Pleaded by the deffend^t Could not by Vertue of any Conditions of Plantacōns be surveyed vpon any Land fformerly Escheated to his Lorp^s

Kent Co.
Ct. Recs.

The Court doth therefore Judge That the Land Convayed by Brookes to the Plant, bee by the Shirriffe put into his possesⁿ & That the Defendent pay to the Plantive ffive Thousand ffour hundred forty & ffower pounds of Tob. over and Above all Officers ffees incurred in this suite, And to provide the Plantive Convenient housing for himselfe, his wife & goods to be in, wthin ten dayes But th^t the said Tho: South & Thomas Hinson shall remaine on the s^d Plantaⁿ wth out molestacōn of the Plantf. till the Crop be throughly cured & finished.

Margret Brent Complaines against Abraham Holeman in an Acoⁿ of the Case to the Vallue of ffive Thousand Pounds of Tob^o & for this bringeth her suite

Brent v.
Holman

War^t Issued returne from the Shiriff 20th of the same mo.

Whereas the Court not findeinge any Cause whereby the Defendent should be Arrested & Impleaded, the Court doth therefore Order th^t the Suite be dismist, & A non suite granted to the Deft, wth Cost of suite, Else Execⁿ

Tho: Ringgold Planf^t the Atturney of W^m Boreman John Deere Defent, war^t ret. & 3 suppenes.

Boreman v.
Deere

Whereas Thomas Ringgold the Atturney of Will. Boreman not makinge any thinge Appeare to this Court, for occation of A suite, by testimony, or any other writeinge, whereby That John Deere was Ingaged to make delivery of A Stocke of Cattle w^{ch} M^r Ringgold Bought of W^m Boreman as M^r Ringgold doth Express in his Petcōn.

p. 113

The Court doth therefore Order that the Plantive shall be non suited granted wth Cost of suite to the Defend^t Else Execucōn

To the hon^{ble} Gour & Councell wth the Rest of the Com^{rs} on the Isle of Kent.

The humble Peticōn of Tho: Ringgold the Atturney of W^m Boreman Sheweth

That whereas yo^r Pet^r haveinge bought certaine Cattle ffrom M^r Boreman w^{ch} Cattle ware left in the Custody of John Deere, who hath taken vpp & had the Profitt of the s^d Cattle & yo^r Pet^r cannot gett Possestion all though he hath divers times Demanded the same yo^r Pet^r Craues of this hon^{ble} Court to Cause & Compell the said John Deere to make a ffull delivery of all such Cattle &

You^r Pet^r shall ever Pray &c.

Abraham Holeman sworne in Court 20th July 1658 Saith. That John Deere tould yo^r Depon^t he had one Cow of William Boreman &

Kent Co. one younge Cowe a heifer belonginge to the s^d Boreman the former
 Ct. Recs. Cowe Called by the name of Crop w^{ch} the s^d Deere shewed yo^r Pet^{nor}
 p. 114 & ffurther saith not.

Gott v. War^t to the Shiriff return^d & 2 Suppenas
 Stuard

Henry Gott haveinge Arrested Charles Stuard in an acoⁿ of the Case to the Vallue of tenn Thousand pounds of Tob. & for this bringeth his suite.

The Plan^t moveth for Certaine Cattle in the hands of Charles Stuard, w^{ch} ware mayd over by M^r Tho. Ward Decedent to M^r Hen. Morgan, in the behalfe of the Orphant Tabytha Short but now the wife of the s^d Stuard.

The Court not findeinge cause of any relief ffor the Plantive herein doth therefore order the Plan^t to pay Cost of suit. Else Execucōn.

Boreman v. M^r John Coursey Moveth this Court As Attorney of Will Bore-
 Deere man Against John Deere & hath pduced a Bill of the s^d Deeres for six hundred & six Pounds of Tob & Caske John Deere beinge there p^rsent Confesseth the debt.

The Court doth therefore order th^t the s^d Deere shall pay the Debt in Pickt & Culld Tob wth the Charges. Else Execⁿ

Re Crouch Nicolas Pickard & Mary Baxter hath moved this Court to have George Crouch The sonn of Geo: Crouch decedent, Lefte in the Custody of Nico. Pickard afores^d

p. 115 The Courte doth therefore Order By & with the Consent of the said Nicolas Pickard & Mary Baxter, That the s^d Geo. Crouch bee & Remaine in the Custody of the s^d Pickard & that all the Childes Cattle shall remaine wth Nico: Pickard, And hee to have the halfe of the Male increase from this time forward, ffor Keepinge the s^d Child & putinge him to scoole & furnishinge the Child wth other necessities soe longe till Just occation be mayd Appeare as Law provides for Orphants in such Cases

Testis me John Coursey Clk.

Oath of Fidelity Henry Carline beinge demanded to subscribe the Engagement Accordinge to Condiçōns of surrendering the Governm^t & the Acts of Assembly pvideinge in that behalfe, Makes this Answer That in Conscience hee cannot be Aidinge and Assistinge, neither can hee Aide & Assiste, neither can he Oppose, The Governm^t hee owneth & will pay all Lawfull Taxes th^t shall be Demanded of him

The same Answer gives

John Westley	} William Elliot
John Ellis	
Rob ^t Martin	
Eddw ^d Burton	
	} ffancis Barnes
	} Edd Coppage
	} Rob ^t Dunn

Vera Copia Testis John Coursey Clk

To this Hon^{ble} Court

Kent Co.
Ct. Recs.
p. 117
Re Hatton's
Estate

Pattericke Forest requesteth th^t all such p^{ersons} who stand as indebted to the Estate of M^r Thomas Hatton Decedent doe here, either vpon Oath or discharge, make what they can Appeare, to Cleare th^mselves of those debts, or ffees, otherwise Execu^{on} to proceede

And yo^r Peticon^r shall pray

The Court doth therefore order That all such p^{ersons} as are concerned herein, make their Appearance and to Cleare th^mselves if they can, or At any other Court when they shall be there vnto Called.

M^r Thomas Bradnox sworne in Court, 20th of July 1658 Saith. That all such ffees as ware due from me to M^r Thomas Hatton I have payd to M^r Tho. Marsh & for M^r John Russell the whole Charge of one Pattent, the Charge is 214^t of Tob. & the Pattent 147^t the whole is 361^t and further saith not.

M^r Tho: Hinson sworne the same time saith. That all such ffees as ware due to M^r Tho. Hatton yo^r Depon^t veriwell remembreth th^t hee hath payd M^r Tho: Marsh decedent the Depon^t M^r Tho. Hinsons Charge of ffees is 137 of Tob & Caske & further saith not.

Vera Copia Test: John Coursey Clk.

Joseph Wickes sworne this 21th of July 1658. Saith. That this Deponant was Indebted by Bill & acc^o vnto M^r Thomas Hatton, about the quantytie of Eighty one Pounds of Tob. w^{ch} bill was in the Custodye of M^r Thomas Marsh & the fores^d Tob. was demanded, & Payd vpon the Gen^rale Ac^s betwixt the s^d Marsh & this Depon^t to the best of this Depon^{ts} knowledge, & further saith not

Jurat Cora Philip Caluert.

Joseph Wickes

Cap^t Rob^t Vaughan Sworne 20th July 1658 Saith

That beinge at S^t Maryes som time in March 1652 at A Court there holden M^r Thomas Hatton tooke out Execⁿ against Francis Lumbard for ffees th^t the s^d Lumbard had received of M^r Hattons on the Isle of Kent M^r Thomas Marsh beinge there p^rsent, desired M^r Hatton to stay the servinge the Ex^{ec} for it would vndoe the s^d Lumbard, & That the s^d Marsh would receive the Tob for him & to see him payd at the Cropp, th^t he would deliver him the Execⁿ w^{ch} as yo^r Depon^t Remembreth was about 2000^t of Tob or thereabouts & further saith not.

Jurat Cora John Coursey

M^r Henry Morgan Sworne the same time
Saith

That beinge At a Court at Sciverne some time aboute fflower or five yeares since yo^r Depon^t heard Tho: Hinson tell Thomas Marsh

Kent Co. Ct. Recs. p. 119 th^t hee had an Execⁿ for M^r Hatton against Lumbards Estate M^r Marsh answered what doe you tell me of that s^d Marsh th^t you have neglected yo^r office for ought I know you must pay the debt, what tell you me of it s^d Marsh to Hinson, why did not you serve yo^r Execution, & these ware the words or the full sence there of & ffurther saith not

Jurat Cora John Coursey.

Liber P. C. R. p. 71 July 22th Re Thurston July 25th Order against Thomas Thurston omitted as printed in 3 Md. Arch. 353 p. 72 July 26th Overzee v. Abrahall These are in the Lord Prop^{es} name to will & requyre yo^u, to bring the Body of Thomas Thurston to M^r Henry Courseys, about 2 o'clock on Sunday next, being the 25th of this p^ent month of July, there to exspect & remaine untill my comming or arryuall thither, & for soe doing this shall be yo^r warr^t Gyuen att Anarundell this 22th July 1658 Jos. ffendall.

To M^r Will^m Coursey Sheriffe of Caluert County or to any other, who haue the s^d Tho: Thurston in Custody.

Symon Ouerzee complayneth agst Richard Abrahall, & alleageth th^t being indebted unto him, in the summe of fowrteene Thowsand pounds of Tob, hee is informed th^t the s^d Abrahall is departed & fledd outt of the prouince, thereby to defraude him of his s^d Debt, to his great dammage.

Attatchm^t to the Sheriffe of S^t Maries County, to attatch &c: to the ualew of 14000^t Tob. Ret. next Prouinciall Court to be holden att S^t Leonards 8^o Septemb^r

Re Lewis's Estate An Inuenty of the Estate of Cap^t Will^m Lewis deceased, brought into the Secretaries Office, by George Goodrick Admⁱstrato^e of the same & Apprayed by the Oathes of Edmund Lindsey & John Kane.

Imp ^r 14 ^t of pewter att 8 ^t p ^e ^t	0120
It. An old ffeather Bed & Boulster	0250
A payre of great Stilliards	0200
A warming-pan	0010
Two great iron skilletts (crackd)	0100
Two small iron potts	0120
Two payre of potthooks, & Two small hookes	0025
Three old iron bownd payles	0010
Three Guns & a short barrill of a gun (unfixd)	0430
Two little old chests	0050
Two old Indian matts	0005
p. 73 one Cros-saw, one Tenant saw, one whip-saw	0145
one hand saw	0015
one Bare skin & a halfe	0020
one small Grindstone	0045
one fate, made w th boards, & a forme of a splitt plank	0005
A Leafe of a small table & forme.	0020

Two old Runletts	0010	Liber
Two homine-Trayes	0005	P. C. R.
A percer & drawing knife	0010	
A little old brasse kettle, & a peice of an old iunke	0030	
A Childes chayre, & a straw bed & a Boulster	0040	
An old small brasse Lamp.	0002	
An inch Auger, A gimlett & a little iron kettle	0025	
Three yowng Soves, w th three pigges	0350	
ffowre shoates, A boare a quarter old	0120	
Seauenty Armes Length Roanoke receaued as Debt	0300	
Three steeres & Bull all of the ^m about the age of 3 yeares old	1100	
One Steere aboue 4 yeares old	0450	
ffowre Calfes att a yeare old	0800	

Wittnesses to the Appraysm ^t	4812
John Browne	The mark of T Edm: Lindsey
Will ^m Robinson.	The mark of X John Cane

These Cattle here mentioned, were made ouer to M^r Rob^t Slye by Cap^t Will^m Lewis in his life time, for security of a Debt owing to the s^d M^r Slye & a Judgm^t of Court graunted for the same, W^{ch} Cattle were ualued by the fors^d Apprayers as followeth (Viz)

ffowre Cowes w th 3 calves att 550 ^t p ^e Cow	2200
One heifer w th a Calfe	0500
one heyfer 2 yeares old w th out a Calfe	0350
	4050

Wittnes John Browne { Edmund Lindsey
Will^m Robinson { John Cane, Aprays^{es}

Vncertaine Debts & Goods belonging to the Estate of Cap^t Will^m Lewis, W^{ch} yett I haue not found.

Imp^r Edmund Lindsey his Debt, By Bill 0500

It. Eighteene Barrells of Corne deliuered to M^r Gerard ffowke.

Two heifers of 3 yeares old.

One Steare of 4 yeares old

3 guns deliuered to Paul Simpson as M^r ffowke attesteth under his hand.

On gun left in John Jenkins hand

one gun left in Will^m Robinsons hand.

Thomas Wilkinson in Virginia is indebted for a seru^t

The Empero^e of Pascatoway is indebted (as I am informed) to Cap^t Lewis Twelue Beauer skins.

Liber
P. C. R.
Re Tenni-
son's Estate Whereas Michael Tennison of Anarundell County wth in the prouince of Maryland, is lately Deceased, And hath (as is affirmed) made his Will, & appoynted therein Exequuto^{es} But the will not att present appearing, These are to authorize Cap^t Will^m ffuller of Annarundell County afores^d, to take the Estate of the s^d Michael Tennison into his Custody, & secure the same from imbeziling, untill the Will bee produced, or untill further Order from mee.

Philip Calvert.

Re Lloyd's
Estate
[see Bald-
win Calen-
dar of Wills
I 219] I John Lloyd of S^t Maries in the Prouince of Maryland Gentⁿ being weake in Body, but in p^efect memory, Doe hereby make & ordaine my Last Will & Testam^t in manner & forme following, (Viz)

My Soule I bequeath to Allmighty God, my Redeemer & Sauour Jesus Christ, Trusting & hoping to be saued through his merit^ts & passion.

My Body to the Earth to be decently buried in the Ordinary burying place in S^t Maries Chappell yard.

As to my Worldly Estate, w^{ch} Allmighty god hath putt mee as Steward ouer in this world, I doe dispose of in manner & forme following (Viz)

Imp^r I doe giue all my Lands, Debts, Goods & Chattles (except such as I shall reserue to other uses hereafter) wthin this p^ouince of Maryland, unto my Deare & Welbeloued Wife Margaret Lloyd whom I doe make my sole Exequutrix.

It. I doe giue unto M^r Thomas Eure, my black suite, & Cloake & a remnant of the same Cloath, my suite is made of.

It. I doe giue to Cap^t John Price, my Rapier & Belt.

It. I doe giue to M^r Richard Willan Two Barrells of Corne, & a payre of new winter shooes.

It. I doe giue to Rob^t Joanes a Bill, by w^{ch} hee stands indebted to mee, in the summe of one hund^d & fifty pownds of Tob. or thereabouts, & my owne old Coate lyn'd wth Bayse, & my Irish stockins.

It. To such persons as shall carry my Corps to Church each of them a black mourning Ribbon & a payre of gloues. But in case my s^d Exequutrix should dye intestate I doe bequeath all my Estate, both Reall & personall, Lands, debts, goods, & chattles w^tsoever wth in this prouince of Maryland, to the English Colledge of Secular Preists att Doway in fflaunders.

p. 75 And in case of such Decease of my s^d Exequutrix intestate as afores^d, I doe constitute Philip Caluert Esq^r And Thomas Eure Gentⁿ ffeoffees in trust, for the sale & disposall of all my s^d Estate, wthin this prouince of Maryland as afores^d It, & euery part of it, to sell & dispose of to the best aduantage for the sole use & behoofe of the s^d Colledge of secular Preists att Doway in fflaunders. To the intent They pray for Our Soules.

And in case of the Decease of my s^d Exequutrix intestate as afores^d I doe giue & remitt unto my sister in Law, Margery Molins, all the time of Servitude, that then shall remaine due by the Custome of the Country. And one py'd Cowe, & her Calfe; All my Rights to Land, by uertue of the Condiçōns of Plantaōn, And the Bed shee lyeth on, wth the Boulster, Rugge, Blanketts, & a payre of Sheetes.

Liber
P. C. R.

In testimony That this is my Last Will, I doe hereto sett my hand & Seale, this 26th day of June Año Dñi 1658, Reuoaking hereby All, & any other Will & Testam^t by me formerly made, ffor further clearing of my intent, & meaning in the constituōn of Philip Caluert Esq^r & M^r Thomas Eure, ffeoffees in trust, soe as in that clause of my Will, relaōn thereto being had, doth appeare. I doe declare th^t in case M^r Thomas Eure should dye or refuse to ioynē wth the s^d Philip Caluert, in such sale & disposall to the use & intent in the s^d Clause limited, That then it shall bee Lawfull for the s^d Philip Caluert alone, to sell & dispose of my s^d Estate to the fores^d uses.

John Lloyd
The + Seale.

Signed & Sealed in the p^ēnce of (That Blott in the 7th Line, of the 2^d page, being made before)

George Briton. William Harper. Will^m Bretton.

Concordat Cum Originali, Exaiat p^e Will^m Bretton Cler.

George Breton maketh oath th^t hee was p^ēnt when M^r John Lloyd signed & sealed this Will not long afore his Death being then in perfect memory & in noe danger of dying as he supposed: The s^d M^r Lloyd desyring this Depon^t to wittnes the same, w^{ch} he did wth his owne hand.

George Briton

Will^m Harper depouit idem uerbatim, quod George Breton.

William Harper

Jurat Cora me Will^m Bretton.

Will^m Bretton deposeth idem uerbatim quod George Breton et Will^m Harper, ut suprā, & further addeth, That hee writt, & transcribed this Will, att M^r Lloyds request, Signing it, (wth the other) wth his owne hand as a Wittnes, & doth uerily beleiue th^t It is the Last Will & Testam^t of the s^d M^r Lloyd.

Will^m Bretton

Juratus Coram me Philip Calvert

Will^m Greengoe maketh Oath, That Maurice Smith, being sodenly taken sick, & likely to dye, But in perfect memory in p^ēnce of this Depon^t, Desyred Henry Banister to pull of his shooes, And the s^d

Re Smith's
Estate
[Not in
Baldwin
Calendar of
Wills]

Liber Maurice gaue him the s^d Banister, the Key of his Chest, Saying, Take
P. C. R. my writings, & All that I haue bidding him bee a good husband,
adding further, what he gaue him, might doe him good hereafter.
Jurat Cora me Will^m Bretton.

July 28th Whereas it appeareth by the Oath of William Greengoe, that
Maurice Smith intended all the Estate, w^{ch} he had unto Henry
Banister, It is thereupon Ordered by Philip Caluert Esq^r Judge in
Testamentary Causes wth in this prouince, That the s^d Henry Banister
(putting in Recogniz) haue l^res of Admⁱstra^on drawne.

This day came Henry Banister, & acknowledgeth himselfe in-
debted to the L^d Proprietary, in the summe of Three Thowsand
pounds of Tob. In case hee doe not make, or cause to bee made, a
true & p^efect Inuentory of all & singular the goods, chattles & Debts
of Maurice Smith deceased: w^{ch} shall or may come to his hands,
possesⁿ or knowledge, Nor the same doe exhibite into the office for
p^eobate of Wills, & granting admⁱstra^ons before the first day of
Septemb^r next, Vnlesse uppon iust demand longer time be gyuen
him by the Secretary, nor the same goods, chattles & debts, doe well
& truly admⁱster, That is to say, doe not pay the Debts of the s^d
Deceased, w^{ch} hee did owe att his decease, as far as the s^d goods,
chattles & debts will extend, & the Law charge him, Or if hee shall
not make a true & iust accompt of & uppon his s^d admⁱstra^on, when
hee shall bee therto Lawfully requyred, shall not distribute & dispose
the remainder of the s^d goods & chattles, w^{ch} shall bee fownd uppon
his s^d acc^t, exai^ed, & allowed in the s^d office, in such manner & forme
as shall bee limitted & appoynted, by the Judge or Judges appoynted
& authorized in th^t behalfe, Or shall not att any time acquitt & saue
harmelesse the Secretary, & all other officers impowred to the graunt-
ing of L^res of Admⁱstra^on agst all p^esons, hauing, or pretending to
haue any right or interest in & to the s^d goods, chattles & Debts.

H Banister

Recognit Cora me Will^m Bretton.

p. 77 Cæcilius Absolute Lord & Proprietary of the Prouinces of Mary-
land, & Aualon, L^d Baron of Baltemore To Henry Banister of S^t
Maries County Greeting, Whereas Maurice Smith late of this prou-
ince deceased, hath (as is to our Secretary proued) made his Will
nuncupatiue, & constituted Henry Banister his Exequuto^e. Wee
doe therefore giue & graunt unto yo^u the s^d Hen: Banister full power
& authority to admⁱster All & singular the goods, chattles & Debts of
the s^d Deceased, And to demand, collect, Leauy, & in Legall manner
requyre & receaue All, & all manner of Debt, or Debts due & oweing
to the s^d Deceased, & well & faythfully to dispose the same. And
out of the Debts, goods & chattles o fthe deceased, w^{ch} haue, may, or
shall come to yo^r hands or possesⁿ well & truly to pay the Debts due
by the s^d deceased, soe far forth as the same shall thereto extend &

the Law will charge you, according to the true ualew & summe thereof. Yo^u hauing first taken yo^r Oath, well & truly to admister the same. And to make or cause to be made a True & p^efect Inuentory of All & singular the goods, chattles, & debts of the s^d Deceased, w^{ch} haue may or shall come to yo^r hands, possesⁿ, or knowledge, And allso a True & iust Accompt in & concerning yo^r admistraōn therein, And to exhibite both into the office for Probate of Wills, graunting Admistraōns lawfully authorized, Touching w^{ch} Inuentory, you are assigned to p^eforme att or before the ffirst day of Septemb^r next ensuing, And an Accompt, when yo^u shall bee thereto lawfully requyred. And lastly wee doe hereby constitute, ordaine, & appoynt yo^u the s^d Hen: Banister Admistrato^e of All & singular the goods, chattles & debts of the s^d Deceased. Gyuen att S^t Maries under the Great Seale of our prouince of Maryland this 28th day of July in the 27th yeare of Our Dominion ouer the s^d prouince of Maryland, Anoque Dñi 1658. Witness Our Deare Brother Philip Caluert Esq^r, Secretary of Our s^d prouince

Liber
P. C. R.

Philip Caluert Secr.

Will^m Edwin sworne Cunstable of S^t Georges hund^d as in the Constable Cunstabes Oath Suprà fol. 56.

Giles Glouer demandeth warr^t agst Richard True in an accōn of the Case to the ualew of 10000^t Tob.

Glover v.
True

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret. next Prouinciall Court, to be held att S^t Leonards 8^o Septemb^r

John Bolaine demandeth warr^t agst Richard Trew, in an accōn of the Case to the ualew of 700^t Tob.

Bolaine v.
Trew

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret. att the Prouinciall Court, to be holden att S^t Leonards 8^o 7^{ber} next.

Cap^t Thomas Cornwalleys demandeth warr^t agst Richard Wattson in an accōn of the Case.

Cornwalleys
v. Watson

Warr^t to the Sheriffe of Charles County to arrest &c: Ret. att the Prouinciall Court to be holden att S^t Leonards 8^o Septemb^r next.

George Mee demandeth warr^t agst John Delahay in an accōn of Debt of 500^t Tob.

Mee v.
Delahay

Warr^t to the Sheriffe of Charles County to arrest &c: Ret. att the Prouinciall Court, to be holden att S^t Leonards, 8^o Septemb^r next.

Sher. 100 } Writt of Exequuōn issued out uppon the goods & Chattles of Stephen Ticknor for Sheriffs & Clarks ffees (Viz) to the Sheriffe 50^t Tob. To the Clark 54^t besids the writt of Exequuōn & Sheriffs ffee for Leauying.

p. 78
Sheriff et al.
v. Ticknor

Liber
P. C. R.
July 29th
Re Smith's
Estate

An Inuentory of the Goods & Chattles of Maurice Smith, deceased brought into the Office by me Henry Banister, & Apprayed by Philip Land, & Roger Isham 21th July 1658.

one Bill of M ^r Thomas Belcher	500 ^t Tob.
for Wages from Capt W ^m Stone	329
one suite of Broad cloath	200
one old suite, Coate, Wast-Coate, & drawers	100
Thre old Shirts	050
one payre of new-stockins	012
Two payre of old stockins one payre of old Bootes, one payre of old shooes, one old hatt	050
Prayed by vs Philip Land Roger Isham.	1241 ^t Tob.

Re Lloyd's
Estate

Whereas Margaret Lloyd the Exequutrix of John Lloyd of S^t Georges hund^d, in the County of S^t Maries, Deceased, exhibited to Philip Caluert Esq^r Judge in Causes Testamentary, the Last Will & Testam^t of the s^d John Lloyd her late husband, the 27th of July instant, Which s^d Will being before him the s^d Philip Caluert, in common forme proued, It is therfore Ordered th^t the s^d Margaret haue Lrēs Adm̄istaōn drawne Cæcilius Absolute Lord & Prop^e of the prouinces of Maryland and Aualon, Lord Baron of Baltemore &c: To all persons to whom these p^ents shall come, Greeting, Know yee, That uppon the seauen & Twentieth of July 1658, Before the cheife Officer for Probate of Wills & graunting Adm̄istraōns, The Last Will & Testam^t of John Lloyd of S^t Georges hund^d in the County of S^t Maries Gentⁿ Deceased, Was att S^t Maries in common forme proued, W^{ch} Will is to these p^ents annexed, And Adm̄istraōn of All, & singular the Goods, Chattles & Debts, of the s^d Deceased, w^{ch} any manner of way concerne him, or his s^d Will, was graunted & committed to Margaret Lloyd, Widdow of the s^d John Lloyd, Exequutrix named in the s^d Will, Shee hauing first taken her Oath well & truly to adm̄ister the s^d Goods, Chattles, & Debts, according to the tenor & effect of the same Will, And to make, or cause to bee made a True & p^efect Inuentory of All & singular the goods Chattles, & Debts of the s^d Deceased w^{ch} haue, may, or shall any way whatsoeu^e come to her hands, possesⁿ, or knowledge. And allso a True & Just Acc^t, in & concerning her s^d Adm̄istraōn, when shee shall bee assigned, or lawfully called soe to doe. W^{ch} touching, An Inuentory shee is presently assigned to performe att or before the first of Octob^r next ensuing. Gyuen att S^t Maries under Our Great Seale of Our prouince of Maryland this 29th day of July, in the 27th yeare of Our Dominion ouer the s^d prouince of Maryland Anoq^e Dñi, 1658. Wittnes Our Deare Broth^r, Philip Caluert Esq^e Secretary of Our s^d Prouince

p. 79

Philip Caluert.

Whereas Agnes Ware the Exequutrix of Richard Ware of S^t Clem^{ts} Manno^r in the County of S^t Maries Deceased, Exhibited to Philip Caluert Esq^e, Judge in Causes Testamentary the nuncupative Will of the s^d Rich: Ware her late husband, the 15th of Aprill last 1658, W^{ch} s^d Nuncupative Will, being before him the s^d Philip Caluert, in common forme proued, It is therefore Ordered th^t the s^d Agnes Ware (putting in Recogniz to the L^d Proprietary of 10000^t Tob.) haue Lrēs of Admīstraōn drawne.

Liber
P. C. R.
July 30th
Re Ware's
Estate

This day came Agnes Ware & acknowledged herselfe indebted to the Lord Proprietary in the summe of Ten Thowsand pownds of Tob. In case she doe not make or cause to be made, a True & p^efect Inuentory of All & singular the goods, chattles, & Debts of Richard Ware, deceased, w^{ch} shall or may come to her hands, possesⁿ, or knowledge. Nor the same doe exhibite into the Office for Probate of Wills, & Graunting Admīstraōns att or before the first day of Octob^r next, Vnlesse uppon iust demand longer time be graunted her by the Secretary, Nor the same goods, Chattles, & Debts, doe well & truly admīster, That is to say Doe not pay the Debts of the s^d Deceased, w^{ch} hee did owe att his decease, as far as the s^d goods, chattles & debts will extend, & the Law charge her, Or if shee shall not make a true & iust Accompt of & uppon her s^d Admīstraon when shee shall bee thereto Lawfully requyred. Or shall not distribute & dispose the remainder of the s^d goods & chattles, w^{ch} shall bee fownd uppon her s^d accompt examined & allowed in the sayd Office, in such manner & forme, as shall bee limitted & appoynted by the Judge, or Judges appoynted or authorized in that behalfe, Or shall not att any time acquitt, discharge & saue harmelesse the Secretary & all other Officers impowred to the Graunting of Letters of Admīstraōn agst all persons, hauing or pretending to haue any right, tytle or interest in & to the s^d goods, Chattles & debts.

The mrk X of
Agnes Ware

Recognit Cora me Will^m Bretton

Concordat Cu' Originali

Cæcilius Absolute Lord & Proprietary of the Prouinces of Mary-land & Aualon, Lord Baron of Baltemore &c: To all p^esons to whom these p^ents shall come Greeting. Know yee th^t uppon the fiueteenth of Aprill 1658, Before the Cheife Officer for Probate of Wills & Graunting Admīstraōns. The last nuncupative Will & Testam^t of Rich: Ware of S^t Clem^{ts} Manno^r in the County of S^t Maries, deceased, Was att S^t Maries in common forme proued, W^{ch} nuncupative Will is to these p^ents annexed, And Admīstraōn of all & singular the goods, chattles & debts, of the s^d Deceased w^{ch} any manner of way concerne him or his s^d will, was graunted & committed to Agnes Ware Widdow of the s^d Rich: Ware, Exequutrix named in the s^d

Liber
P. C. R. Will, Shee hauing first taken her Oath well & truly to adm̄ister the s^d goods, chattles, & debts according to the tenor & effect of the same will. And to make or cause to be made a true & p^efect Inuentory of all & singular the goods Chattles & debts of the s^d Deceased, w^{ch} haue, may, or shall any way whatsoeu^e come to her hands, possesⁿ, or knowledge & allso a iust accompt in & concerning her s^d Adm̄istraōn, when shee shall bee assigned, or lawfully called soe to doe. W^{ch} touching, an Inuentory shee is presently assigned to performe att or before the first of Octob^r next ensuing. Gyuen att S^t Maries under the Great Seale of Our prouince of Maryland this 30th day of July, in the 27th yeare of Our Dominion ouer the s^d prouince of Maryland Anoq^e Dñi 1658 Wittnes Our Deare Brother Philip Caluert Esq^e Secretary of Our sayd prouince.

Philip Caluert.

July 31st
Thomas v.
Potter Will^m Thomas demandeth writt agst Henry Potter in an accōn of Defamaōn, to the ualew of 10000^t Tob.

War^t to the Sheriffe of S^t Maries County to arrest &c: Ret next Prouinciall Court to be held 8^o Septemb^r next.

Subpoen. Mary the Wife of Martin Kirke, John Bisco, & Martin Kirk to testify in dittâ caâ. &c: uppon 500^t

Claxston's
Mark Sould & deliuered by mee Edward Claxston of S^t Michaels hund^d wth in the prouince of Maryland Plant^r, unto Marks Pheypo of the same prouince, his heyres, Exequuto^{rs}, adm̄istrato^{rs} & assignes, one Dark Browne Cow, (marked wth a Crop & slitt in each eare) wth a Red Bull Calfe running by her side, And I the s^d Edw: Claxston doe warrant the s^d sale, to be firme, & good from all iust claimes in Law. Wittnes my hand this 26th of July 1658.

Wittnes John Metcalfe

Edward T. Claxston.

Fenwick v.
Pakes
p. 81 M^{rs} Jane ffenwick demandeth warr^t agst Walter Pakes in an accōn of Debt of 1800^t Tob. by Bill.

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret next Prouinciall Court, to bee held att S^t Leonards, in the County of Caluert, 8^o Septemb^r next.

Fenwick v.
Boreman M^{rs} Jane ffenwick demandeth warr^t agst Will^m Boreman in an accōn of the Case.

War^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next Pro: Court to be held 8^o Septemb^r ut Suprà.

Re Estate of
Allen

This 13th of Decer^hb^r 1656.

Wee the Ouerseers of the Estate of Thomas Allen Deceased, wth the consent of Thomas & Will^m Allen the Sonnes & Heyres of the

afores^d Thomas Allen, haue Sold unto Henry Potter all th^t parcell of Land, w^{ch} was formerly Thomas Allens the elder, Lying in St Michaels hund^d in the Prouince of Maryland. And further Wee the s^d Thomas & Will^m Allen doe sell & make ouer all Our Rights, Tytle & interest of all th^t Land, Plantaõn, howsing whatsoeuer belonging unto o^r ffather Thomas Allen for euer, unto the s^d Henry Potter, his heyres, Exequuto^{rs}, & Adm̃istrato^{rs} foreuer. And is for a Certaine summe of Tob, w^{ch} wee the sayd Thomas Allen, & Will^m Allen haue the greatest part in hand receiued, And for the true performance wee haue hereunto sett Our hands.

Deliuered in the p^{ence} of Vs Tho: T Allen Will^m M Allen
John Hatch Richard Banks Will^m A Marshall

January 28th 1657.

I doe acknowledge to haue receaued of Henry Potter, the summe of Two Thousand, Two hundred Thirty fwe pownds of Tob. & Cask in full satisfaction for th^t parcell of Land, belonging to me Thomas Allen, & Will^m Allen my Brother, Lying & being in St Michaels hund^d otherwise called the Lower end of the Towne, ffor w^{ch} summe of Tob. I doe quite all claimes & interests, rights & tytles whatsoeu^e in the same about the sayd Land. In wittnes whereof I haue hereunto sett my hand the day aboue dated.

In the p^{ence} of Thomas T Allen
R Wiseman Tho. Wynne

Philip Land Adm̃istrato^e of the Estate of John Crabtree Deceased demandeth warr^t agst Will^m Steeues of Patux^t in an accõn of the Case to the ualue of 5000^t of Tob. & cask.

p. 82
August 12th
Land v.
Steeves

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret att the Prou: Court to beld att St Leonard, in the County of Caluert 8^o Septemb^r next.

Philip Land demandeth warr^t agst Emperour Smith, in an accõn of Debt of 500^t of Tob. due by Bill.

Land v.
Smith

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret next Prouinciall Court ut Suprà.

Goods belonging to John Stringer Carpenter, late Deceased, Apprayed & ualued by John Nicholls, & Walter Waterlin this 13th day of march 1653, as followeth

Re
Stringer's
Estate

A Red Coate	180 ^t Tob.
A peice of Stuffe & fustian	020
A Stuffe-Suite	100
one yard 3 q ^{eters} of holland & }	
3 q ^{eters} Course linnen }	050

P. C. R.	Liber Three payre of Shooes	075
	ffowre knives	020
	Siluer Buttons & Twist	057
	Silke & Buttons	100
	Ribbon	044
	Manchester binding	006
	Tape	015
	Spices & pepper	010
	Starch	002
	Napkins	020
	A Looking glasse	030
	White Thread	030
	Colowred Thread	030
	A Demicaster & 2 bands	020
	Woosted & Linnen stockings	030
	Three Red Capps	003
	A payre of gloues	015
	A payre of Sizars & razo ^r	020
	A smothing iron	002
	Two brushes	010
	Two bushells of Salt	060
	ffowre Bookes	050
	A payre of drawers, one Jerkin } & silke wascoate }	080
	A payre of Bootes & Spurrs	080
	ffowre old shirts	010
	Pipes	009
	A Chest	060
	Another Chest	100
	A Baskett of Tin-ware	030
	Shott	008
	Old Irish Stockins	005
	A doz. of planes	120
	A parcell of small Tooles	060
	An iron Ladle	002
	An old Line	003
	Nayles	140
	A parcell of pewter	070
	A Candlestick, snuffers, skellett & locke	020
	A Board Axe & Ads	030
	Moldly Biskett	010
	ffowre pownd of Candles	020
	Two pownd of Sugar	006
	An old dry Cask, & a Bagge	013
	Six Cases of bottles	060
	A payre of Tob. Tongues	003
	A Wheel-Locke-Carbyne	060

The Totall of the aboue mentioned goods Apprayed as afores^d Liber
amounteth to the full & iust quant^y of 1998^t P. C. R.
p. 83

Goods Deliuered to M ^r Willkinson	
one Thowsand of Nayles	045 ^t
A payre of Stockins	020
Two felling Axes	040
Six y ^{rds} & $\frac{1}{2}$ of siluer Lace	058
Two pownd & $\frac{1}{4}$ of Soape	030
halfe a Pint of Oyle	005
An Earthen Bottle	005
A Cane	005
A payre of Small Shooes of my owne	020
fiue payre of Shooes more	125
	<hr/>
	353
Hoggs Apprayed att 200 ^t	200 ^t
To Humphey Howell	300
One heifer Sold to John Johnson of Accomack	400
Worke done for M ^r Starkey, Apprayed att	500
Due from Thomas Benett	300
	<hr/>
	1700

Bills belonging to John Stringer late Deceased & Received by
me Edward Packer.

John Shirtcliffs Bill	0700
John Lewgers Bill	0570
Richard Neuett's Bill	0350
Walter Pakes Bill	0700
John Medleys Bill	1059
	<hr/>
	3379

The Acc^t of the Estate in full amounting to 7430^t

p. 84

p^r C^a Cred^r Vppon Judgm^{ts}

By Tob. payd M ^r Husbands	2300
Tob payd Cap ^t Webber	0246
Tob payd M ^r George Mee	0100
Tob payd M ^r Willkinson	0380
Tob payd Walter Waterln	0268
Tob. payd M ^r Hatton for ffees }	0271
arrysing uppon the Estate }	
Tob payd M ^r Mathew Stone	0280
more payd M ^r Wilkason	0430
Payd M ^r Stringer of Accomack	0400
	<hr/>
	4675

Liber P. C. R.		Debt	
	To the seuerall Godds & Bills		1998
	Rec ^d & by the Apraysm ^t &c:		0353
	ut folio ante 83		1700
			3379
			<hr/> 7430
Medley's Deed	Memorandu ^r That I John Medley Plant ^r of New-Towne in the Prouince of Maryland, doe Sell unto Thomas Carpenter one Quarter of the Mill, w th a Quarter part of the Land, hoggs & whatsoeu ^e profitts thereunto belonging. And doe warrant the Sayd Sale agst all iust Claimes unto the s ^d Thomas Carpenter & his heyres for euer. Wittness my hand this 28 th of June 1658. (The Land called S ^t Lawrence his Land excepted.)		
	Test. Ralph Crouch	John X Madley	
	John W Warren.		
August 14th Streeter v. Brooks	Cap ^t Edward Streeter who marryed the Relict of Co th Tho: Burbadge Per Attornat Richard Collect, demandeth warr ^t agst ffrancis Brooks in an accōn of Debt, to the ualew of fowrteene Thowsand pownds of Tob. & Cask due by Bill.		
	Warr ^t to the Sheriffe of the County of S ^t Maries, to arrest &c: Ret Pouinciall Court, to bee held 8 ^o Septemb ^r next.		
Assiter v. Ware Vide fol. 96	Will ^m Assiter demandeth of Agnes the Relict & Exequutrix of Richard Ware Deceased One Thowsand seauenty & fue pownds of Tob. uppon Bill.		
Jarboe v. Ware	John Jarbo demandeth of Agnes the Exequutrix of Rich Ware Deceased, Three hund ^d & thirty pownds of Tob. uppon Bill.		
Stone v. Renge p. 85	Cap ^t Will ^m Stone demandeth warr ^t agst Thomas Renge in an accōn of Debt		
	Warr ^t to the Sheriffe of S ^t Maries County to arrest &c: Ret. att the Prouinciall Court to bee held in the County of Caluert, att S ^t Leonards 8 ^o Septemb ^r next.		
Stone v. Bishop	Cap ^t Will ^m Stone demandeth warr ^t agst Henry Bishop in an Accōn of Debt.		
	Warr ^t to the Sheriffe of S ^t Maries County to arrest &c: Ret. 8 ^o Septemb ^r ubi Suprà.		
Stone v. Stephenson	Cap ^t Will ^m Stone dem ⁿ ds warr ^t agst Will ^m Stephenson, in an accōn of Debt.		
	Warr ^t to the Sheriffe of S ^t Maries County to arrest &c: Ret. 8 ^o Septemb ^r ubi Suprà.		

Henry Coursey demandeth Warr^t agst Philip Land in an accōn of the Case, to the ualew of 2000^t Tob. Liber
P. C. R.
Coursey v.
Land

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret. att the Prou: Court 8^o Septemb^r ubi Suprà.

Jhon Lord demandeth warr^t agst Mathew Stone, in an accōn of Debt of 7000^t Tob. due by Bill. Lord v.
Stone

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret. att the Prou: Court to be held 8^o Septemb^r next.

Proclamation.

Whereas the Prouinciall Court was appoynted to be holden the Eighth day of Septemb^r next, But by Reason of the backwardnes of the Inhab^{ts} Crops, w^{ch} would be uery preiudiciall unto many, th^t are to attend there And haue humbly requested mee, th^t the Court may bee putt of for some longer time, ffor w^{ch} reason I doe therfore appoynt th^t the next Prouinciall Court shall be kept uppon the fift of Octob^r next ensuing, And th^t all warrants, & other busines concerning th^t Court, shall still stand in force And all such p^esons hauing any busines att the s^d Court are hereby willed & requyred then & there to giue their attendance, And allso th^t the Sheriffe of S^t Maries County, giue notice to the Sheriffe of Caluert County, And the Sheriffe of Caluert County, to the Sheriffe of Anarundell: And the Sheriffe of Anarundell County, to the Sheriffe of Kent, And euery Sheriffe to giue notice unto the Inhab^{ts} in their County respectiuey of this adiourning. Gyuen under my hand the day & yeare aboue written Postpone-
ment of
Court
August 21st

Josias ffendall.

Hugh Staueley demandeth warr^t agst Job Prott. in an accōn Sup. Case. August 23d
p. 86
Staueley v.
Prott

Warr^t to the Sheriffe of Calu^et County to arrest &c: Ret next Prou: Court to be held 5^o Octob^r next.

Jacob Lumbrozo demandeth warr^t agst Will^m Ewen, in an accōn of Case of 300^t Tob. Lumbrozo v.
Ewen

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret. att the Prouinciall Court to be holden 5^o Octob^r next.

John Little demandeth war^t agst Aaron Jacobson in an accōn of Case. Little v.
Jacobson

Warr^t to the Sheriffe of Caluert County to arēst &c: Ret. att the Prouinciall Court to be holden 5^o Octob^r ut Suprà.

Writt of Sub. pena, for Tobias Norton to testify in cause Spradictâ. &c: 500^t Tob. in cause of neglect.

Liber
P. C. R.
Lumbrozo v.
Ferreira Writt Sub pæna for Will^m Ennis & Thomas Seamour to testify
in a Cause depending betwixt Jacob Lumbrozo & Dauid Ferreira
uppon forfeiting 500^t Tob. apeice in case of not appearing &c:

Subpena etia^m for Michael Baisey & Will^m Hampsted, to testify
in dittâ Causâ & sub eadem pcenâ.

Ferreira v.
Berry Subpœna for Will^m Hampsted to testify in a Cause inter Dauid
fferreira, & Will^m Berry.

August 25th
Freeman v.
Holt Lewis ffroeman p^e Attornat Nicholas Gwyther, demandeth warr^t
agst Rob^t Holt in an accõn of Debt, of 100^t Tob. by Bill.

Warr^t inde to the Sheriffe of S^t Maries County to arrest &c: Ret
att the Prouinciall Court to be holden in the County of Caluert 5^o
Octob^r next.

Gwyther v.
Potter Nicholas Gwyther demandeth warr^t agst Henry Potter, in an
accõn of Case.

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret next
Prouinciall Court ut Suprà.

Chandler v.
Jackson Job Chandlor demandeth warr^t agst Barnaby Jackson, in an accõn
of Case.

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next
Prouinciall Court 5^o Octob^r ut Suprà.

Sub pcœna Thomas Courtney, to testify ut dictâ Causâ, Ret. ut
Suprà.

August 30th
p. 87
Gerard v.
Evans Thomas Gerard Esq^r demandeth war^t agst Cap^t Will^m Euans in
an accõn of Case.

Summons to the Sheriffe of S^t Maries County to warne Cap^t
Euans to attend the next Prouinciall Court, 5^o Octob^r next.

Gerard v.
Evans
Admin. Thomas Gerard Esq^r entreth accõn agst Cap^t Will^m Euans as
admīstrato^r of the Estate of Will^m Thompson Deceased, as allso
agst John Maunsell, who was the s^d Thompson security, in an accõn
of Debt.

Writt to the Sheriffe of S^t Maries County &c: Ret. ut Suprà.

Pheypo v.
Smoote Marks Pheypo demandeth warr^t agst Will^m Smoote in an accõn
of Case, to the Valew of 4000^t Tob.

Warr^t to the Sheriffe of Charles County to arrest &c: Ret next
Prouinciall Court, 5^o Octob^r next.

Pheypo v.
Trew Marks Pheypo demandeth warr^t agst Richard Trew, in an accõn
of Case, to the Valew of 4000^t Tob.

Warr^t to the Sheriffe of S^t Maries or any other Sheriffe to arrest &c: Ret. 5^o Octob^r ut Suprà. Liber
P. C. R.

Sub. pœna John Neuill, to testify in dictâ Causâ, Vppon forfeite of 500^t Tob. in Case of neglect, Ret. ut Suprà.

Nicholas Kaytin demandeth warr^t agst John Bisco, in an accõn of Defamaõn. Kaytin v.
Bisco

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next Prouinciall Court to be holden 5^o Octob^r next.

Sub pœna, for Marks Pheypo & Will^m Asbishton, to testify in dictâ Causâ. Ret. ut Suprà, on the behalfe of the pff.

Subpena for Rob^t Smith, Rose his Wife, & Will^m Ashbiston to testify in eade^r causâ, on the behalfe of the Dēft.

Cap^t Nicholas Gwyther demandeth warr^t agst Will^m Asbiston in an accõn of Case. Gwyther v.
Ashbiston

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next Prouinciall Court, to be holden 5^o Octob^r next.

Sub pœna for M^r John Metcalfe to testify in dittâ Causâ.

This day came Thomas Jackson & acknowledgeth to haue giuen to his neice Anne ffoster one Cow calfe, (Viz) marked, The Right Eare underkeeld; The Left Eare Cropd, wth Two nicks, (or little peices taken away) of the same Eare, Together wth all the encrease both male & ffemale for euer, W^{ch} Gwift is to aduance her a portion. Anne ffoster
her marke
of Cattle

acknowledged Cora' me
Will^m Bretton.

Thomas Jackson

Jacob Lumbrozo demandeth warr^t agst Will^m Harwood in an accõn of Case. p. 88
Lumbrozo
v. Harwood

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret. att the Prouinciall Court to be holden att S^t Leonards in the County of Caluert 5^o October next.

Sub pœna for Philip Morgan to testify in the Cause, depending betwixt Jacob Lumbrozo, & M^r Anthony Gallway, 500^t Tob. forfeiture Lumbrozo
v. Gallway

Julian Hoyle demands warr^t agst Will^m Stockdalle, Admistrato^r of the Estate of ——— Gibbons in an accõn of Case, of 2000^t Tob. Hoyle v.
Stockdalle
Admini.

Warr^t to the Sheriffe of Calu^et County to arrest &c: Ret. next Prouinciall Court ut Suprà.

Sub Pœna for John Bagby & his Wife to testify, (under 500^t Tob forfeiture) in dictâ causâ. Ret. ut Suprà.

Liber
P. C. R.
Anderton v. Bowlin John Anderton demands warr^t agst James Bowlin in an accōn of Case.

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret. ut Suprà

Sub pœna for Will^m Hampsted & Alexander Laremore 500^l Tob apeice, to testify in dictâ Causâ. Ret. ut Suprà.

Sub pœna for Arthure Ludford (500^l Tob.) to testify in eade^r causâ on the behalfe of James Bowlin.

Anderton v. Hooper John Anderton demands warr^t agst Henry Hooper in an accōn of Case.

Warr^t to the Sheriffe of Calu^t County to arrest &c: Ret. ut Suprà.

Staueley v. Sharpe Adam Staueley demands warr^t agst Peter Sharpe in an accōn of Case.

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret. ut Suprà.

Subpœna for Stephen Benson, & his Wife (500^l Tob. apeice) to testify in dictâ Causâ. Ret. next Pro: Court, ut Suprà.

Septembr
6th
Cornwaleys v. Burrowes Cap^t Thomas Cornewalleys demands war^t agst Nathaniel Burrowes in an accōn of Case, of 1500^l Tob.

Warr^t to the Sheriffe of Calv^t County to arrest &c: Ret. ut Suprà.

Septembr
11th
John Waghops mark John Waghop of Piny-Poynt enters his marke of Cattle & hoggs (Viz.) Crop'd on the left eare wth a slitt in it. The Right eare ouerkeeld.

ffrances Grosse's mark ffrances Gosse her marke (Viz) Cropd' on the left eare, wth a hole in it: the right eare ouerkeeld.

Archib.
Waghops mark Archibald Waghop enters his owne marke of Cattle &c: (Viz) A slitt in both eares.

p. 89
Eliz:
Waghops mark Archibald Waghop enters the marke of Elizabeth Waghop his God-daughter (Viz) A slitt in both eares, wth an underkeelee on the right eare.

Ouerzee's Power of Attorney Know all men by these p^ents th^t I Symon Ouerzee of the Prouince of Maryland haue constituted & ordeyned M^r Philip Land to be my Lawfull Attorney, To answere to all such suites now depending in Law, in the County of S^t Maries: & all suites now depending, or shall bee called uppon in the Prouinciall Court, in the prouince of Maryland. In all manner of accōns, of what nature soeu^r as well to answere, as to requyre Judgm^t agst all p^esons th^t shall proue to stand

indebted to mee; or any other way sommoned att the Courts afores^d,
att my suites, Promising to allow & to ratify all whatt shall be done,
by my s^d Attorney. Allowing this my lrē. of Attorney to bee in the
forementioned premises, of soe much force & uertue, as any can bee
made, allthough any Clause, or Clauses should be omitted herein
requyred, as wittnes my hand the 3^d Septemb^r 1658

Symon Ouerzee.

Came Phillip Land & requesteth to haue longer time gyuen him for
the bringing in the Inuentory & Acc^t of the Estate of John Crabtree
into the Secretaries Office

Re Crab-
tree's Estate

And uppon good Cause shewen Philip Caluert Esq^r Judge in
Testamentary Causes allowed him, to performe the same, by the last
day of January next.

Att a Court held in Charles County 20th of August 1658.

Gerard v.
Goodrick
August 20

Mr John Hatch
Mr Edw: Packer.
P^{ent} Josias ffendall Esq^r Mr James Walker
Mr John Jenkins
Mr Rob^t Hundley } Commis^{es}

Vppon the demand of Thomas Gerard p^{ff} agt George Goodrick
dft, (ad^mistrato^e of the Estate of Cap^t Will^m Lewis) for 300^t Tob,
& 6^t of powder. It is Ordered th^t this Cause bee sent up to the Prou-
inciall Court, Because the whole busines touching Cap^t Lewis his
Estate, is there depending.

Vera Copia Ex Record, Ext^r p^e me, George Thompson.

Cap^t Thomas Cornewalleys demandeth warr^t agst John Medley
in an accōn of Debt to the ualew of 5000^t Tob.

Septembr
20th
Cornwaleys
v. Medley

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret next
Prouinciall Cou^et to be held 5^o Octob^r next.

Thomas Belcher demandeth warr^t agst Rob^t Cole in an accōn of
Debt to the ualew of 800^t Tob.

p. 90
Belcher v.
Cole

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next
Prouinciall Court to be holden in the County of Caluert 5^o Octob^r
next

Writt of Exequuōn Granted agst the Estate of ffrancis Brookes,
to Cap^t Nicholas Gwyther, for ffees accruing to the s^d Gwyther, as
Sheriffe for the summe of One Thowsand Two hund^d & sixty
pounds of Tob. & Cask.

Gwyther v.
Brooks's
Estate

Liber M^r Gardiner
P. C. R.
Gardiner M^r Gerard hath bene uery urgent wth mee for his uindicaōn from
v. Gerard yo^u & taxed mee th^t I gaue yo^u a months time for the making good
yo^r accusaōn agst him, w^{ch} he doth alleage to be long since exspyred.
That neuerthelesse, he doth still remaine unrepayred in his reputaōn,
w^{ch} hee doth affirme to be uery much preiudiced by yo^u. Wherefore
I intend (God willing) to putt an end to it att the next Prouinciall
Court. Where I doe by these, Order yo^u to bee, to make good yo^r
accusaōn, Aug. the 22th 1658
ffor M^r Luke Gardiner. Josias ffendall.

Attorney Summons from the Gou^r, directed to M^r ffrancis ffitzherbert, to
General make his p^esonall appearance att the next Prouinciall Court, to bee
v. Fitz holden in Caluert County, on the 5th day of Octob^r next.
Herbert

Allen v. Will^m Allen of London Merch^t (per Attornat. Thomas Mathewes)
Overzee demandeth of Symon Ouerzee 3637^t Tob. & cask. due uppon acc^t

Septembr Ellionor Martin demandeth warr^t agst George Willson, in an
28th accōn of Case.
Martin v. Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret.
Willson next Prouinciall Court to be holden in Caluert County 5^o Octob^r
next.

Sub pena Will^m Lucas, Will^m Cole & John Steuens to testify in
dittâ Causâ uppon forfeiture of 500^t Tob. apeice, for non appearance.

Martin v. Ellionor Martin demandeth warr^t agst Michael Cranly in an accōn
Cranly of Slaunder.
Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next
Prouinciall Court to be holden ut suprâ.

Bisco v. John Bisco demandeth warr^t agst Nicholas Keytin in an accōn
Keytin of Defamaōn.
Warr^t to the Sheriffe of S^t Maries County &c: Ret. ut Suprà.

p. 91 Thomas Cornwalleys Esq^r demandeth warr^t agst Marks Pheypo,
Cornwalleys in an accōn of Debt
v. Pheypo Warr^t to the Sheriffe of S^t Maries County &c: Ret. next Prouin-
ciall Court to bee holden 5^o Octob^r ubi suprâ.

Fenwick v. Sub pœn. to the Sheriffe of S^t maries County to warne Rich:
Pakes Bennett John Bogue & Will^m Yownge to testify, in a Cause, betweene
M^{rs} Jane ffenwick & Walter Pakes, under 500^t Tob apeice forfeiture,
for neglect of appearance Att the request of the s^d Pakes.

Jackson v. Barnaby Jackson complayneth agst Cap^t Will^m Stone, for th^t the
Stone s^d Cap^t Stone killed a Steare, w^{ch} did belong to the Compln^t

Summons to Cap^t Stone &c: Ret. next Prou: Court, 5^o Octob^r
Sub poen, Thomas Griffin to testify in dittâ Caâ. Liber
P. C. R.

Subpoen, for Martin Kirke, & his wife to the Sheriffe of S^t Maries County to testify in a Cause depending betwixt Will^m Boreman, & ffrancis Brooke, att the request of the s^d ffr: B^eooke. Boreman v.
Brooks

Cap^t Nicholas Gwyther demandeth warr^t agst George Goodrick, admist^e of the Estate of Cap^t Will^m Lewis, in an accōn of Debt of 600^l Tob. Gwyther v.
Goodrick
Admin^r

Warr^t to the Sheriffe of Charles County to arrest &c: Ret. next Prou: Court to be holden 5^o Octob^r

Warr^t Graunted by the Gou^e att the Request of Thomas Gerard Esq^r agst James Lindsey & Richard Willan, in an accōn of Case, Ret. att the Prouinciall Court to be holden att S^t Leonards in the County of Caluert 8^o Septemb^r next, by adiurm^t 5^o Octob.
Gerard v.
Lindsey
et al.

Robert Kadger demandeth warr^t agst Edward Packer as the Attorney of Cap^t Samuel Tilghman in an accōn of Case, of 1800^l Tob. Kadger v.
Packer

Warr^t to the Sheriffe of Charles County to arrest &c: Ret. att the Prouinciall Court to bee holden att S^t Leonards 5^o Octob. next.

Richard True Attorney of Ma^r Thomas Selye demandeth warr^t agst Henry Adams, in an accōn of Debt to the Value of 2800^l Tob. Selye v.
Adams

Summons to the Sheriffe of Charles County &c: Ret. next Prouinciall Court, to be holden 5^o Octob.

Will^m Empson demandeth warr^t agst Will^m Marshall in an accōn of the Case. Empson v.
Marshall

Warr^t to the Sheriffe of Charles County to arrest &c: Ret. att the Prou: Court to be holden 5^o Octob^r next ut Suprà.

Luke Gardiner complayneth agst Thomas Gerard Esq^r & demandeth writt, in an accōn of the case. p. 92
Gardiner v.
Gerard

Sumons direted by the Gou^e to the Sheriffe of S^t Maries County, Ret next Prouinciall Court to be holden 5^o Octob^r ut Suprà.

Summons Graunted by the Gou^e to warne Thomas Carpenter to bee att the next Prouinciall Court to be holden 5^o Octob^r att M^r Tho: Gerards request.

Summons granted by the Gou^e to Warne M^r Ralph Crouch, to be att the next Prouinciall Court, to be holden 5^o Octob^r on the behalfe of the L^d Prop^e to testify, Concerning Seditious & mutinous words spoken by M^r ffitzherbert. Attorney
General
v. Fitz-
herbert

- Liber
P. C. R.
Langworth
v. Smith Sub pœna to the Sheriffe of S^t Maries County to warne Elizabeth Robins Thomas Bassett, Will^m Yowng, & Richard Bennett, to testify their knowledge in a Cause depending betwixt James Langworth & Emperour Smith, att the request of the s^d James Langworth, Ret. ut Suprà.
- Martin v.
Greene Sub pœna to the Sheriffe of S^t Maries County to warne Will^m Greene to bee att the next Prouinciall Court, there to make answere to what shall be demanded by Ellionor Martin Widdow, Ret. ut Suprà.
- Batten v.
Stone Will^m Batten complayneth agst Cap^t Will^m Stone, & demandeth writt in an accõn of Case.
Summons to Cap^t Will^m Stone to be att the next Prouinciall Court to make answere &c: 5^o Octob^r
- True v.
Robinson Richard True demandeth warr^t agst Will^m Robinson in an accõn of Debt to the ualue of 300^l Tob.
Warr^t to the Sheriffe of Charles County &c: Ret. 5^o Octob^r ut suprà.
- Stone v.
Mitchell's
Estate Cap^t Will^m Stone demandeth Attatchm^t agst the Estate of Capt William Mitchell to the ualue of
Attatchm^t graunted by the Gou^e to the Sheriffe of Charles County to attatch &c: Ret next Prouinciall Court 5^o Octob^r next.
- Re Taylor Warr^t directed by the Gou^e to the Sheriffe of S^t Maries County to warne John Taylo^r to make his p^esonall appearance att the Prouinciall Court to be holden in the County of Caluert 5^o Octob^r next.
- Jackson v.
Stone Sub pœna to the Sheriffe of S^t Maries County to warne Marks Pheypo to be att the Prouinciall Court to testify in a Cause depending betwixt Barnaby Jackson, & Cap^t Stone Ret. 5^o Octob^r next.
- James Lees
Marke of
Cattle &c: James Lee entreth his marke (Viz) a Crop & slitt in the right eare: & a hole in the left.
- p. 93
Instructions
to Sheriffs
as to fees Whereas by Order of Assembly the Leauies & Clerks ffees, are due & ought to be payd, by all the Inhab^{ts} of this Prouince, as they haue bene formerly assessed.
These are therfore to authorize & impower, any the Sheriffs of this Prouince to destreine the goods of all such p^esons, as shall refuse, or deny to pay or satisfy, all, or any such ffees, as are due by Leauies and Clerks ffees, unto James Veitch & to deliuer the same unto the s^d James Veitch, & for soe doeing this shall bee yo^e warr^t Gyuen in Charles County this 4th of June 1658.
To the respectiue Sheriffs
of S^t Maries Charles & Caluert Counties.

Josias ffendall

An Inuentory of the Estate of Robert Parre deceased apprayed by
 Thomas Daus, & Thomas Stagwell in Tob. as followeth.

Liber
 P. C. R.
 Re Parre's
 Estate

Imp ^e 6 Cowes	3000 ^l Tob.
It. 3 yearelings	0500
4 Bull calves	0320
One Cow-Calfe	0100
One feather Bed, Curtaynes & uallaines	0800
One Old feather Bed, & furniture belonging to it	0600
2 old slight flock-Beds	0200
2 payre of old dowglas-sheetes	0160
3 payre of old Locram-sheetes	0100
3 old Canuase-sheetes	0060
2 payre of Dowlas pillowbeers	0040
one Canuase Table Cloath, Ten Locra ^m napkins, & 3 Towells	0100
Eight pewter dishes	0160
4 peices of dishes, & one small bason	0050
Eight Porringers	0040
6 plates	0060
6 small sawcers	0006
2 Saltcellers, & broken Candlesticks	0016
one white earthen dish	0004
one old warming pan	0030
one suck cup, & one dram-cup	0100
One old pottle pott, & one Pint pott	0030
One Brasse Kettle, & one brasse skillett	0050
3 small iron potts, & one spitt	0140
2 iron pestles	0060
one frying pan, & one hand-saw	0030
one froe	0030
One Croscutt saw	0020
2 smoothing irons	0030
One Gun, 2 barrells, & ould lock	0350
fowre old bookes	0040
Two old Chests	0150
One old Trunk	0060
One little old brasse mortar	0010
fowre old Trays	0024
One spade	0020
One old broad-Axe	0010
One Cow sold to M ^r Parrott	0650
	<hr/>
	8150

p. 94

One seruant hauing one yeare to serue, & one hauing 2 yeares to
 serue 300

Liber
P. C. R. This Appraysm^t sworne unto in Court this 22th of Septemb^r 1657
by the above named

Thomas Dauis
Tho: Stegall.

The 6 Cowes belonging to the Estate of Robert Parre deceased, are deuided betweene George Peake & John Parr this 6th of Septemb^r 1658, p^e Sampson Waring, & James Thompson.

The names of George Pake's Cattle are Old begger, Cherry, & Coll, one Bull wth one yeareling heifer.

The names of John Parrs Cattle are Nansey, Pye, Yowngbegger, one steere betweene 2 & 3 yeares old, wth 2 Cow Calfes, as wittnes our hands the day & yeare aboue written.

Sampson Waring
James & T Thompson

John
Sewells
mark of
Cattle John Sewell reordeth his marke (Viz) the Vpper Side of both
eares squar'd wth a slitt under both eares.

October 2	A iust Appraysm ^t of the Estate of Richard Ware deceased as it	
Re Ware's	was apprayed by Vs Will ^m Assiter & Cloues Mace.	
Estate		
p. 95	A Cow w th a Steere-calfe, & a heifer w th a Cow calfe	Tob
Impe	& a yearling Steere calfe	1300 ^t
It	Two little iron potts	0070
	A spitt, an old dripping-pan, & a frying-pan, & a payre	
	of potthangers, & a payre of tongues	0060
	An old hand-saw, a hammer, a sedge-hooke, & a	
	little looking-glasse	0025
	A parcell of old cloathes	0150
	An old Bed & blankett	0080
	A parcell of old Tubs	0025
	An old gun w th out a lock & an old drawing knife	0030
	A small Chest	0030
	A parcell of broken wedges, Two porringers a dozen	
	of spoones, & a parcell of old wooden dishes	0060
	August 21 st 1658	1830

Will^m Assiter
Cloues Mace.

Deed of
Philip Hide Know all men by these p^ents th^t I Phillip Hide of Patux^t Riuer in
the prouince of Maryland Plant^e for & in consideraõ of the full &
iust summe of Three thowsand pownds of Tob in cask to mee in
hand payd, & secured by Stephen Gary of the prouince afores^d
Mariner, haue giuen, granted, bargained, sold, enfeoffed & con-

firmed, & by these p^{nts} doe giue, graunt bargaine, sell, enfeoffe, & confirme unto the s^d Stephen Gary, the Rights of transport for my owne person, into the prouince of Maryland afores^d Togeather wth all my Estate, right, tytle, interest, claime, & demand whatsoever, of in & to the dwelling howse in w^{ch} I lately did liue, situate, lying & being uppon the North side of Patux^t Riuer, Together wth all the buildings, lands & appurtenances thereunto belonging, To haue & to hold the s^d howse, Lands & premises, wth all the rights, members, & appurtenances thereunto belonging unto the s^d Stephen Gary his heyres, & assignes for euer, wth warrantee only agst mee the s^d Philip Hide, & my heyres, & all persons clayming by from or under us. Prouided allwayes, & uppon condition neuerthesse th^t I the s^d Philip Hide doe hereby oblidge my selfe, my heyres & Assignes th^t noe Land shall bee taken up, neare the Lands aboue mentioned uppon any Rights entred uppon my account, uppon Record. And I doe hereby oblidge my selfe uppon demand to acknowledge this p^{nt} writing in order to be Recorded. In witnes whereof I haue hereunto sett my hand & Seale the nine & Twentieth day of January 1657.

Liber
P. C. R.

p. 96

Philip Hide

The + Seale

Sealed & deliuered in the p^{nce} of

Will^m Mitchell

Thomas Semar

Thomas ffowkes.

Octob^r 5th This day Will^m Assiter acknowledgeth to haue receaued of Agnes the Relict & Exequutrix of Rich: Ware Deceased one Thowsand Seauenty & fiae pownds of Tob & Cask.

Assiter v.
Ware the
demand
Vide suprâ
fol. 84

John Jarbo likewise acknowledgeth to haue receued of Agnes the Exequutrix of Rich: Ware Deceased Three hund^d & Thirty pownds of Tob & cask.

Jarboe v.
Ware

Sub poen. to the Sheriffe to warne Roger Scott to bee att this Court to testify his knowledge in a Cause depending betwixt Thomas Seamo^r, & Stephen Gary, uppon 500^t Tob forfeiture &c: att Seamo^{rs} request.

Seamor v.
Gary

Cap^t Nicholas Gwyther Sheriffe of the County of S^t Maries, Returneth the writts directed to him for this Prouinciall Court (Viz). All Summons & other writts whatsoever are returned Exequuted Except War^t x Rob^t Holt, att the suite of Lewis ffroeman.

Sheriff's re-
turns

War^t x Rob^t Gwest att the suite of Nicholas Keytin.

War^t x Rob^t Cole, att the suite of Thomas Belcher.

War^t x Henry Bishop att the suite of Cap^t Will^m Stone.

& Subpoen for Will^m Cole, on the behalfe of Ellioner Martin x George Willson.

Liber
P. C. R. The Sheriffe of Charles County returneth the writts directed to him (Viz) All exequuted Except Warr^t x Will^m Robinson att the suite of Rich True.

The Sheriffe of Caluert County Returneth the writts &c: directed to him (Viz) All exequuted Except Warr^t x Cuth: Phelps, att the suite of James Gaylourd Assigne of Peter Le Pleylor & writt x Aaron Jacobson att the suite of John Little.

Oct. 5 Att a Court held at S^t Leonards in the County of Caluert 5th of
P. 97
vide 3 Md. Octobr 1658.
Arch.
Coun. 354

P^{ent}. Josias ffendall Esq^r Gou^r.
Philip Caluert Esq^r Secret^r.
Co^{ll} Nathaniel Vtye

Cornwalleys
v. Pheypo The pff producing a Bill of the dēfts for 837^t Tob in Cask. The dēfts Attorney M^r John Metcalfe, by the pffs appoyntm^t, acknowledged a Judgm^t to the pff. for 837^t Tob. according to the s^d Bill.

Mr. At-
torney Gen-
erall v.
Taylour The Deposⁿ of John Caine aged 40 yeares or thereabouts sworne & examined Sayth, That hee asked M^r Taylour for Drams, who told him hee could not spare any, But afterwards lett him haue six Bottles, whereuppon hee gaue him 27 armes length of Roanoke, & desyred him to pay himselfe out of that for the drams, & what remayned was to goe uppon the account of goods he bought of him, But neuer asked him the price of his drams, but told him, hee would giue him as much as others gaue him, that bought drams before him; & hauing lost the account w^{ch} the s^d M^r Taylo^r gaue him of his goods & drams hee bought of him, knew not what price hee had sett uppon his drams. ffurther this depon^t sayth not.

Jurat Coram Edward Parks

The Deposⁿ of Rob^t Perkisse aged 40 yeares or thereabouts being sworne & examined sayth That hee desyred a Bottle of drams of M^r Taylo^r Whereuppon M^r Taylo^r replied hee had uery few, & was loath to sell any: But the s^d Perkisse telling him, th^t his wife was uery ill, & desyrous of some caused him to spare him a Bottle. The price of w^{ch} Bottle M^r Taylo^r told him the s^d Perkisse was fowrty pounds of Tob. ffurther this Depon^t sayth not

Jurat Coram Edward Parkes.

The Deposⁿ of Archibald Waghop aged 31 yēares or thereabouts being sworne & examined Sayth That hee desyred to haue a Bottle of Drams of M^r Taylo^r the s^d M^r Taylo^r replied he should, & asked him what it was for. Archibald replied it was to carry home to his wife, & asked him what was the price of the s^d Bottle. M^r Taylo^r replied ffowrty pounds of Tob. Whereuppon Archibald replied That noe

Ordinary keeper in the Country sold soe deare, the s^d Taylo^r went away & sayd Well, well, & further the Depon^t sayth not. Liber
P. C. R.

Jurat Coram Edward Parkes

His Lōps Attorney complayneth agst John Taylo^r for Extortion ffor th^t the s^d Taylo^r sold his drams att 40^t Tob p^e Bottle.

W^{ch} appearing cleare by diuers Oaths taken, & confessed allso by the dēft, that hee charged soe much therfore uppon acc^t Yett the Court hath thought fitt to dismisse the dēft, uppon his good obearance hereafter.

The Court adiorned by the Gou^r, for a while.

Sub pœn. to the Sheriffe to warne M^r Roger Isham, & Cap^t Sampson Waring to testify in a Cause depending betwixt Luke Gardiner & Thomas Gerard Esq^r uppon 500^t Tob. each for not appearing. p. 98
Gardiner v.
Gerard

Sub pœn to the Sheriffe to warne John Neuill & Will^m Robinson to testify in a Cause depending betwixt Will^m Marshall, & Will^m Empson and Thomas Baker, att Marshall request, uppon 500^t Tob. each. Empson v.
Marshall

Sub pœna, to warne Sampson Waring, & Sara his Wife, Will^m Kent, & John Burridge to testify &c: inter Adam Staueley, & Peter Sharpe, Uppon 500^t Tob forfeiture, each for not appearing, att Staueleys request. Staveley v.
Sharpe

Sub pœn. to warne M^r John Anderton to testify his knowledge, inter M^r ffrancis Anketill, & M^{rs} Jane Eltōhead uppon 500^t Tob. ut suprà. Anketill v.
Eltonhead

Sub pœn. M^r Thomas Mathews, & M^r Will^m Boreman to testify inter M^r Job Chandler, & Barnaby Jackson, 500^t Tob apeice. Chandler v.
Jackson

The Court proceeded

P^ent as afore, & { Cap^t Will^m Stone
 M^r Job Chandeler
 M^r Baker Brooke

Vppon the Complaint & Petition of the p^{tf}, & order the last Court &c: The dēft sayth that hee was not bownd to secure & keepe the Estate of Co^{ll} Yardley in his hands; seing th^t the Attatchm^t being serued, the Attorney of the p^{tf} neuer sued the estate, att or before the expiraōn of the Attatchm^t Keeping the s^d goods, or Estate, one whole yeare & more. Corne-
walleys v.
Chandeler

Cap^t Sampson Waring deposed in Court Sayth, th^t hee knoweth nothing concerning the dēfts Bond, Only th^t the Bond att the death Vid. Order
fol. 47

Liber of the former Sheriffe, was deliuered to him as the Subsequent
P. C. R. Sheriffe.

And it appearing to the Court, th^t the Estate of Co^h Yardley was conueyed out of the prouince in M^r Symon Ouerzees Sloope. It is ordered th^t this Cause bee respited till the next Prouinciall Court, & th^t M^r Ouerzee being p^ent, make answere to this demand.

The Deposⁿ of Thomas Haruey aged 24 yeares or thereabouts taken the 7th day of Septemb^r 1658, Sayth, That in the month of May last hee went by the Order of Tho: Cornwalleys Esq^r wth his sloop to Richard Wattson for a hogshead of Tob, to carry it aboard the White angell, & the s^d Wattson would not lett him haue it, & further sayth not.

Jurat Cora^r Philip Caluert.

Corne-
walleys v.
Wattson
p. 99

John Grimley aged 31 yeares or thereabouts sworne & examined, Sayth That hee being att the howse of Richard Wattson, When M^r Abington Seruant to Cap^t Cornwalleys came wth Zacharias Wade to the howse of Richard Wattson to looke uppon one hogshead of Tob, w^{ch} had beene formerly receiued by the s^d Abington, & had layne there most part of one yeare, The s^d Abington desyred Richard Wattson in case th^t Cap^t Cornwalleys did send for the Tob. th^t hee would lett them haue it. Whereuppon the s^d Wattson replied, in case th^t Cap^t Cornwalleys would make him paym^t for the howse roome of it, hee would lett it goe, & the s^d Wattson desyred Abington to acquaint Cap^t Cornwalleys wth it, W^{ch} s^d words were past betwixt them in January last, & ffurther sayth not.

Jurat 28th Septemb^r 1658 Coram John Jenkins.

Thomas Lomax aged 28 yeares sworne & examined this 2^d of Octob^r 1658 Sayth That in May last this Depon^t being att the howse of Richard Wattson, when Two men came from M^r Ouerzees Sloope, & told the s^d Wattson they were desyred to call for one hogshead of Tob, th^t lay att the s^d Wattson's howse, W^{ch} s^d Tob. belonged to Cap^t Cornwalleys, Whereuppon Wattson did aske them, if they had any Note to testify from Cap^t Cornwalleys his hand. They sayd noe. Whereuppon the s^d Wattson desyred them to tell Cap^t Cornwalleys, that he would not deteyne the Tob from the s^d Cap^t Cornwalleys, or any other, th^t had Order to shew for it: Prouided th^t the s^d Wattson had fowrty nine pownds of Tob for the howseroome of it. W^{ch} message the s^d Wattson had formerly sent to Cap^t Cornwalleys, by his seruant M^r Abington & further sayth not.

Jurat Coram John Jenkins.

Vppon the demand of the p^{ff}, for a hogshead of Tob formerly receiued, w^{ch} the dēft refused to deliuer, untill the p^{ff} had payed him, for the howseroome of the s^d hogshead, It lying there in his

howse about one yeare. The Judgm^t of the Court is, That the dēft ought not to haue stopped the hogshead. And if the p^{tf} was indebted for howseroome, to haue putt it to account, It is therfore Ordered th^t the dēft pay to the p^{tf} another hogshead of Tob of the same weight, wth Charges of Court.

Liber
P. C. R.

Vppon the Respite last Court &c: The p^{tf} producing a Bill of the dēfts for Two pownd & a halfe of Beauer, It is Ordered that the p^{tf} haue Judgm^t (the dēft not appearing) for Two pownd & a halfe of Beauer, according to his Bill, wth Charges of Court.

Corne-
walleys v.
Parker
Vid. resp.
fol. 33

Vppon the demand of the p^{tf} for 300^t Tob. It is Ordered th^t (the dēft not appearing, & Richard ffoster being his Security) the p^{tf} haue Judgm^t agst the s^d ffoster as Security according to his demand, wth Court Charges

Corne-
walleys v.
Lord

Non suite is Granted on the behalfe of the dēft; (the p^{tf} not appearing in Court to prosecute) wth Charges of attendance.

Lord v.
Gerard
Vid. fol. 370

The Court adiorned by the Gour^r till afternoone.

Twesday afternoone All p^{ent} as afore & Coth John Price.

The p^{tf} demandeth of the dēft 2500^t Tob. Reference is graunted in the s^d suite att the Request of Cap^t Thomas Cornewalleys the dēfts Attorney & to be determined next prouinciall Court.

p. 100
Mr At-
torney Grall
v. Hostkeyes

To the hon^{bte} the Gou^e & Councell of Maryland

Chandler v.
Jackson

The humble Petⁿ of Job Chandler. Sheweth

That yo^r Pet^r had a Mare running in S^t Maries County, & about this time twelmonth yo^r Pet^r came downe there to haue marked her, or gott her home where hearing Barnaby Jackson did lay claime to the s^d Beast, & th^t hee was looking for her to marke her, yo^r Pet^r meeting wth the s^d Barnaby, did before sufficient wittnes forewarne him, from marking the s^d Mare. Yett neuerthesse the same day, or the next, he finding the s^d Mare, marked her, & deteynes her from yo^r Pet^e. And further yo^r Pet^r being att S^t Maries in July last, sent for the s^d Barnaby to know whither hee would deliuer yo^r Pet^r his Mare w^{thout} trouble, who told yo^r Pet^r before Cap^t Cornewalleys & others, th^t the Mare hee had marked was his owne, & th^t Cap^t Stone had deliuered my mare to Cap^t Cornewalleys, & th^t shee had Two Mare Colts.

The premises considered yo^r Pet^e humbly craues redresse And hee shall pray &c:

Vppon the p^{tf}s Petⁿ concerning a Mare claymed by him, w^{ch} the Dēft keepeth.

Liber
P. C. R. Cap^t Thomas Cornwalleys sworne in open Court Sayth, th^t when Mr Chandler deliuered this Dep^t a Mare, he shewed him a Browne Mare, w^{ch} he s^d was his, W^{ch} Barnaby Jackson ueiwing sayd to this Depon^t That Mare would cleare her selfe, & if th^t Mr Chandler wanted a Mare, hee must looke her of Cap^t Stone, Will^m Boreman & Thomas Courtney, being allso examined & nothing appearing positiuely by their Oathes, th^t the Mare in dispute is the p^lffs Mare. But rather suppose the contrary th^t it is the dēfts Mare.

And the p^lf not being able to proue the same, The dēft desyreth nonsuite, W^{ch} was Granted.

Streeter v.
Brooks Vppon the demand of Richard Collett the p^lffs Attorney, agst ffrancis Brooks dēft for 14000^t Tob by Bill, The dēft denyeth the s^d Bill & the signing thereof by him.

Cap^t Thomas Cornwalleys sworne in open Court sayth th^t Coth Thomas Burbadge desyred this Depon^t to demand of the dēft this Bill: w^{ch} hee did & the dēft neuer denied it to him.

M^{rs} Jane ffenwick sworne (concerning this Bill in question) sayth, That shee hath heard M^r ffenwick her husband say That ffrancis Brooks thought to haue cheated other folks, & cheated himselfe, affirming th^t Coth Burbadge did say, That hee thought th^t M^r Olditch
p. 101 had noe right in th^t Bill, But as for himselfe he gaue, or could giue his right therein, But hee could not giue away what doth belong to the children, Cap^t Nicholas Gwyther deposeth idem.

John Metcalfe sworne Sayth That he heard M^r ffenwick say, That hee thought in his conscience th^t that Bill was uery uniust.

Whereuppon the Court considered th^t the Bill by the p^lf produced, if euer signed by the dēft (w^{ch} as yett doth not appeare by any Wittnes) was fraudulently obteyned, & therfore Judge that the s^d Bill doe lye in Court till the 25th of March next, By w^{ch} time if prooffe bee not made uppon what consideraōn the s^d Bill was gyuen, the s^d Bill shall be deliuered up to bee cancelled.

Baysey v.
Clarke

To the hon^{bte} the Gou^r & Councill

The humble Petⁿ of Michael Baysey.

Sheweth That whereas yo^e Pet^r hath complayned seuerall times agst M^r Robert Clarke, in not laying out the Lines of the Land, belonging to the children of Anthony Rawlins deceased & one Order of Court or more hath bene had in the premises agst him, Yett notwithstanding he hath not remedyed it, to the great preiudice of the s^d Childrens Land, some enchroaching uppon the back-Lines as yo^e Pet^e doth conceaue.

The humble Request of yo^r Pet^e is That the Children may bee speedily remedyed therein, & yo^r Pet^r shall euer pray &c: It is Ordered according to the Petⁿ, th^t M^r Clarke make a perfect Suruey out of hand

To the R^t worth the Gouverno^r & Councell

The humble Petⁿ of Luke Gardiner Humbly Sheweth

Liber
P. C. R.
Gardiner v.
Gerard

That yo^r Pet^r in the yeare 1652 did freely purchase of Thomas Gerard of S^t Clem^{ts} manno^r Esq^r a certaine Tract or parcell of Land, commonly called by the name of Canow-Neck, for the consideraōn of 5000^t Tob. & cask & allready receaued; And Three barrells of Indian Corne & Two Capons yearely to be payd unto the afores^d Gerard. And th^t whereas the afores^d Gerard hath passed unto yo^r Pet^r a Certaine Instrum^t under his hand & Seale, as an acknowledgm^t of the fores^d Contract, wth promise th^t if yo^r Pet^r should afterward any way mislike the afores^d Deed, by reason of any clause therein conteyned not consonant to Law, or w^{ch} might make it appeare to be noe perfect alienation, th^t then hee the s^d Gerard should bee willing att any time to graunt unto yo^r Pet^r, a more sufficient assurance of his s^d Land, And th^t whereas yo^r Pet^r hath seuerall times shewed the Deed to diuers persons, well skilled in the Law, to haue their Opinions, Whither or noe it were sufficient, to assure the afores^d Land unto yo^r Pet^r & his heyres for euer, according to the intention of the Bargaine. It was declared by them all, to bee a uery imperfect Conueyance, W^{ch} yo^r Pet^r understanding, in compliance to the s^d Gerards promise gott another attendance drawne agreable to the former Contract, made betweene the s^d Gerard & yo^r Pet^r, & made a tender thereof to him, humbly desyring th^t hee would bee pleased, after the perusing thereof, to signe it according to his former promise, But hee utterly denyed the signing of it. p. 102

May it therefore please yo^r hon^{rs} soe seriously to consider the premises th^t the s^d Gerard & his Wife, may bee forced in the behalfe of themselues & their heyres to graunt soe sufficient assurance to yo^r Pet^r & his heyres for the afores^d Land, w^{ch} hee hath soe long since payed for : & that wee may be sure to remaine in quiett possesⁿ thereof for the future.

And yo^r Pet^r shall euer pray &c :

Vppon the Petⁿ afores^d M^{rs} Susan Gerard the dēfts Wife being called & appearing in Court, declareth th^t shee will not uoluntarily & freely acknowledge a fine, unlesse as compelled by the Court as the Pet^r hath requested in his Petⁿ Whereuppon the Judgm^t of the Court is th^t the dēft gyuing Bond to the p^{tf} for Twenty Thowsand pownds of Tob. is a sufficient Security for the Third part of Eight hund^d acres of Land. And after a little space M^{rs} Susan Gerard came againe into the Court, & declareth (to end these controuersies) th^t shee is willing & doth freely of her owne accord acknowledge a fine.

S^t Maries Command Thomas Gerard & Susan his Wife th^t they hold Couenant to Luke Gardiner of Canow-neck, Bownding wth Two marked Trees standing uppon the Two heads of the Branches

Liber of the s^d neck, wth a line drawne from tree to tree, Conteyning by
 P. C. R. Estimation Eight hund^d Acres, Bee it more or lesse, According to a
 Deed of Bargaine & Sale from the s^d Thomas Gerard Bearing date
 the ninth of Nouemb^r, in the yeare of our Lord God 1652

Josias ffendall.

And the finall Concord betweene the s^d Thomas Gerard & Susan
 his wife of the one part, & Luke Gardiner of the other, is, That the
 s^d parcell of Land called Canow neck, according to, & uppon such
 Condiçōns, as are conteyned in the s^d Deed of Bargaine & Sale from
 the s^d Thomas Gerard to Luke Gardiner & Will^m Johnson, shall bee
 to him the s^d Luke Gardiner his heyres & assignes for euer.

Attorney
 General v.
 Fitzherbert
 vide fol.
 1082

An Informaōn of his L^{ps} Attorney agst ffrancis ffitzherbert ffor
 practising of Treason & Sedition & gyuing out Rebellious & mutinous
 speeches in this his L^{ps} Prouince of Maryland, & indeuouring as far
 as in him lay to rayse distraction & disturbances in this L^{ps} s^d
 Prouince.

1. ffrancis ffitzherbert did on the 24th of August 1658 Trayterously
 & seditiously att a generall meeting in armes of the poeple of the
 Vpper parts of Patux^t Riuer to muster, endeauo^r to seduce, & draw
 from their Religion the Inhab^{ts} there mett together.

2. Hee did use the same Trayterous & Rebellious practice att New
 Towne on the 30th of August 1658. The poeple being mett together
 for the end afores^d

3. That by these his Treacherous & seditious practices, hath
 p. 103 caused seuerall Inhab^{ts} of this prouince to refuse to appeare att
 Musters, That they shall thereby bee incapable of Defending the
 peace & liberty of the Inhab^{ts} of his L^{ps} Prouince, agst the attempts
 of foreigne or home bred enimies.

4. That he hath Rebelliously & mutinously sayd th^t if Thomas
 Gerard Esq^r (of the Councill) did not come & bring his Wife &
 Children to his Church, he would come & force them to his Church,
 Contrary to a knowne Act of Assembly in this Prouince.

Right hon^{bte}

Since I writt my last to yo^u, I haue receiued a message from M^{rs}
 Gerard, w^{ch} is th^t M^r ffitzherbert hath threatned Excommunicaōn
 to M^r Gerard, because hee doth not bring to his Church, his Wife &
 Children, And further M^r ffitzherbert sayth th^t hee hath written home
 to the head of the Church in England, & th^t if it bee their Judgm^{ts}
 to haue it soe, hee will come wth a p^rty & compell them, My Lord this
 I offer to yo^r L^p as M^{rs} Gerards relaōn, whom I thinke would not
 offer to Report any such thing if it were not soe. And, my Lord, I
 thanke god the Gouvern^t of the Country is now in yo^r Officers hands:
 But I thinke (& I haue good grownds to thinke soe) that it will not

long continue there, if such things bee not remidyed, I told m^r ffitzherbert of it about a yeare since in priuate, & allso th^t such things were agst the Law of the Country, Yett his answere was, th^t hee must be directed by his Conscience more then the Law of any Country, I doe not (my Lord) thrust my selfe uppon any business of quarrell, but it is peace & quietnes I desyre, & I hope yo^r L^p hath noe other cause, but to wish the same, & soe I referre the consideraõn of it to yo^u & remaine

Liber
P. C. R.

Yo^e L^{ps} most faythfull seruant to command Hen : Coursey.

Thomas Gerard Esq^r sayth uppon oath, That hauing conference wth M^r ffitzherbert as they were walking in the woods, & in his owne Orchard, Touching the bringing his Children to the Roman Catholique Church, Hee gaue m^r ffitzherbert reasons, why it was not safe for himselfe & this Depon^t, And the s^d m^r ffitzherbert told this Depon^t That hee would compell & force them & likewise he sayd, th^t hee would excommunicate him, ffor hee would make him know th^t hee had to doe wth the bringing up of his Children, & his Estate.

The Deposⁿ of Robert Slye aged 30 yeares or thereabouts sworne & examined in open Court, Sayth

That some time in or about July or August in the yeare 1656, m^r ffitzherbert being then att this Depon^{ts} howse, This Depon^t desyred m^r ffitzherbert to informe him, who it was th^t had scandelously & falsely accused him of beating his Irish seruants, because they refused to bee of the same Religion of him the s^d Depon^t, w^{ch} request M^r ffitzherbert refused to graunt, saying th^t hee did beleue the Report to bee false, & therfore desyred him the s^d Depon^t not further to urge him in that busines, for he would not nor could not disclose the Author thereof, M^r ffitzherbert told the Depon^t, that M^r Gerard had allso beaten an Irish Seruant of his likewise, because shee refused to bee a Protestant, or goe to prayer wth those of his family th^t were soe, to w^{ch} the s^d Depon^t replied, That that Story was like the other, (or words to th^t purpose) ffor^r w^{ch} discourse likewise wee fell to other Relating to M^r Gerard & the Children, M^r ffitzherbert told him the s^d Depon^t, th^t M^r Gerard although hee professed himselfe a Roman Catholique, yett his life & conuersaõn was not agreable to his profession, The s^d Depon^t asked him his reason, M^r ffitzherbert answered because hee brought not his Wife & children to the Roman Catholique Church, Moreouer he told him the s^d Depon^t th^t if M^r Gerard would not bring his Children to his Church, hee would force & compell him thereunto, if hee were the same in reallity, th^t hee pretended himselfe to bee, Moreouer th^t if M^r Gerards life & conuersaõn was not otherwise for the future, then what it had bene formerly, hee would draw his sword agst him, if hee made choyce of him for his ffather Confess^r, or to th^t effect. By the word, Sword, this Depon^t understood th^t hee meant the Censure of the Church:

p. 104

Liber
P. C. R. But this Depon^t understood not what hee meant by the words, fforce, or Compell, M^r ffitzherbert told this Depon^t further th^t if M^r Gerard brought not his children freely to his Church, nor educated them in the principalls of the Romish Religion, hee would take such a course, th^t hee would undertake their Educaōn in M^r Gerards owne howse, whither M^r Gerard would giue way thereunto, or noe, This Depon^t aduised M^r ffitzherbert to forbear to proceed according to such resoluōn, Whereuppon after long arguing about this busines M^r ffitzherbert told the s^d Depon^t, th^t if hee would tell him his Opinion, what hee were best to doe, in relaōn to M^r Gerard his Wife & children & hee the s^d M^r ffitzherbert promised him to follow his Counsell, this Depon^t aduised him not to disturbe M^{rs} Gerard nor her Children in relaōn to their Religion, or words to th^t Effect, as the s^d Depon^t hath declared, & further sayth not.

Henry Keine sworne in open Court, maketh oath, That hee went to M^{rs} Brook's howse uppon a Summons to a Muster, the 24th of July last, Where M^r ffitzherbert made a Sermon, & M^r ffitzherbert comming forth demanded of them how they liked his doctrine. And further the s^d M^r ffitzherbert sayd, if any would giue him leaue to bee in their howse, hee would now & then come & giue them a Sermon, And if hee could gett leaue of the Gour^r, hee would preach att the Court howse, That night, or the next day Richard Games turning Catholike came home, & brought Two Books wth him, w^{ch} he sayd M^r ffitzherbert gaue him, & further sayth not.

John Grammer maketh oath, th^t hee was present att the Muster att M^{rs} Brook's howse att the same time, And there hee heard a Declaraōn or Sermon, by M^r ffitzherbert, not exspecting any, And after Sermon M^r ffitzherbert sayd, that if the poeple in this Riuer would heare him, hee would come now & then and giue them a Sermon. Hee asked them how they liked his doctrine; But hee heard nobody make answere to him. The next day being Sunday this Depon^t & his Wife goeing to M^{rs} Brooke, hee mett there M^r ffitzherbert who asked him againe how hee liked his doctrine? Who
p. 105 answered th^t some things he & other some hee did not like. M^r ffitzherbert then asked him what those things were he did not like? & walked out wth this Depon^t, where they had a quarter of an howers discourse & in discourse hee gaue him this Depon^t indifferent good satisfaction, his memory being but weake in Scripture & in conclusion of the discourse Cap^t Tho: Brooke came & called the s^d M^r ffitzherbert into dinner & (whither after dinner or afore he remembreth not) hee gaue him a little Catechisme booke, desyring him to reade it. Bidding him after hee had read th^t Booke, call to Richard Games for another Booke, & further sayth not.

The Court adiorned by the Gouverno^e till to morrow morning

Wednesday 6th of Octobr 1658.

Liber
P. C. R.
Oct. 6

	Josias ffendall Esq ^r Gou ^e	} Co th John Price	
P ^{ent} .	Philip Caluert Esq ^r Secret ^e		} M ^r Job Chandler
	Cap ^t Will ^m Stone		

Vppon the demand of Thomas Mathews the p^{ffs} Attorney for Allen v. Overzee
3637^t Tob. The dēfts Attorney Philip Land acknowledgeth th^t there were accounts betweene the p^{ff} & the dēft, & alleageth th^t the dēft payd Seauen hogsheads of Tob, & putt them on board M^r Webbers ship, towards the paym^t of that Debt, & produced the Depos^{ns} of Will^m Cornelius & Robert fford who make oath that the Tob. weighed one Thowsand, Eight hund^d & fifty grosse.

The Deposⁿ of Will^m Cornelius Mariner Aged 34 yeares or thereabouts sworne & examined the 16th day of June 1654 Sayth That about the middle of ffebruary the depon^t went in a Sloope of M^r Symon Ouerzee merch^t of Virginia, & was by him Ordered to goe aboard Cap^t Thomas Webber lying then in S^t Georges Riuer, in the Prouince of Maryland, Where hee did meete wth the s^d Ouerzee aboard the s^d Ship, & by his Order unloaded Seauen hogsheads of Tob. out of the Sloope, into the Ship. And then the Depon^t did heare the s^d Ouerzee aske of Cap^t Thomas Webber afores^d whither hee had order of M^r Will^m Allen to receaue some Tob of him. And the s^d Webber gaue for answere hee had, & betweene M^r Ouerzee & Cap^t Webber they opened the Tob. & Webber did receaue ffowre hogsheads & refused Three. Whereuppon the s^d Ouerzee went ashoare to Cap^t Will^m Stone wth the Depon^t & finding M^r Will^m Allen there told him That his Master had receiued ffowre hogsheads of Tob, & refused Three more, & requested the s^d M^r Allen to goe & looke uppon it himselfe, But M^r Will^m Allen did make an excuse to goe att th^t time. But the Depon^t heard him say, hee would goe th^t weeke & looke uppon it, & if it proued merchantable he would take it: But if not hee must take it back againe, Since th^t time yo^r Depon^t was seuerall times aboard the s^d Webber's ship. And by Order of M^r Ouerzee did enquiry about the Tob, The master not being aboard the Seamen told the Depon^t that M^r Allen hath looked uppon the Tob, & gyuen order th^t it should be stowed away, w^{ch} accordingly it was done. But yo^r Depon^t cannot iustly remember the weight of the ffowre hogsheads receaued by Cap^t Webber, But as hee well can remember was about Eighteene hund^d & odde pownds of Tob. grosse, & further sayth not.

Robert ffoord aged 40 yeares or thereabouts, Swareth the same, p. 106
and moreouer th^t hee uery well remembers the weight of the Tob, & weighed Eighteene hund^d & fifty pownds grosse

It is Ordered that (the Tare being deducted & there remayning 1465^t) the dēft pay unto the p^{ff}, 2172^t, Tob, the Remainder of the s^d demand.

Liber
P. C. R.
Clarke v.
Mitchell
Vide fol. 47

Whereas there was an Attatchm^t graunted att the last Court, agst the Estate of Cap^t Will^m Mitchell att the request of M^r Rob^t clearke for 2500^t Tob, It is ordered th^t th^t former Attatchm^t be continued.

Mathews et
al. Trustees
v. Mitchell

And whereas there was a Bill produced for a Mare & her encrease, to bee deliuered in Aprill 1657, It is Ordered th^t an Attatchm^t issue out in the names of M^r Thomas Mathews, & M^r Henry Adams Trustees for M^r Nicholas Cawsines' children, agst the Estate of Cap^t Will^m Mitchell, Ret next Prouinciall Court.

Coursey v.
Land

To the hon^{bte} the Gou^e & Councell for the Prouince of Maryland The humble Petⁿ of Henry Coursey Humbly Sheweth That M^r Philip Land of S^t Maries County sold yo^r Pet^r a Cow & a steere calfe, the 18th day of Aprill 1654. And yo^e Pet^r goeing for England in the yeare 1655 did impower my Brothers, to aske, demand & receiue the s^d Cow from the s^d Land, w^h all her encrease; w^{ch} hee refused to deliuer, hauing then or presently after killed the s^d Cow & her calfe, as yo^r Pet^r hath bene informed, Not thinking euer yo^r Pet^r would returne againe for this Country.

Yo^e Pet^r therfore humbly prays th^t hee may haue order for a Cow & a steere of the age responsable to the aboues^d Calfe, & all future encrease likely to ensue from the s^d Cow wth Costs of Suite, And yo^r Pet^r as in duly bownd shall eu^e pray &c:

Know all men by these p^{nts}, th^t I Richard Harrise of Patux^t Plant^r, for a ualuable Considera^{on} by me receaued, doe bargain & sell unto John Reade of the same place Plant^r one Cow Cropd' on both eares, wth two slitts in each Crop, her colour is Browne, wth a Steere calfe browne. Marked slitt in the left eare, & under keeled on the right, To haue & to hold the same cattle, to him the s^d Reade, or his assignes for euer, & I the s^d Harrise doe for mee my heyres & assignes warrant to saue harmelesse the s^d Read, & his assignes from any molesta^{on} of any person or persons whatsoeu^e Clayming from or under mee or my assignes, In wittnes whereof I haue sett my hand this 20th March 1653

Wittnes

Thomas Phillips

Richard Harrise

I John Reade doe assigne all my whole right & interest of this Bill of Sale unto Philip Land or his assignes, Wittnes my hand this 20th March 1653

Wittnes

Richard Harrise

Thomas Philips

John Reade

p. 107 Memoranduⁿ th^t I Philip Land of S^t Maries County in the prou-
ince of Maryland doe for a ualuable considera^{on} by me allready

receaued, bargaine, sell, make ouer, & assigne all the wth in mentioned cattle unto M^r Henry Coursey or his assignes, wth her future encrease & doe warr^t the sale thereof, to him, his heyres, Exeq^{es}, admistrato^{es} or assignes. Wittnes my hand this 18th day of Aprill 1654.

Liber
P. C. R.

In the p^{ents} of John Nicholes.

Philip Land.

Vppon the Petⁿ & demand of the p^{tf}, for a Cow & a Steere Calfe &c: The dēft alleageth th^t hee hath payd unto M^r Thomas Hatton 455^l Tob towards the satisfying th^t debt. And the p^{tf} auerreth th^t hee neuer gaue M^r Hatton Order to receiue, or euer receaued from the s^d M^r Hatton, any summe of Tob in consideraōn of this debt in question. And the dēft not being able to proue the Contrary, It is ordered th^t the dēft satisfy, or pay unto the p^{tf} a Cow & Steere calfe according to his Bill of Sale wth costs of suite.

George Goodrick Admistrato^e of the Estate of Cap^t Will^m Lewis came into Court, & requesteth to be released from the s^d Estate & haue Quietus Est. And producing his account of the s^d estate, It appeareth by the s^d Accompt th^t hee hath payd 5000^l Tob ouer & aboue what the personall Estate was apprayed att. It is therfore ordered that his account be allowed of, & he haue his Quietus est. W^{ch} 5000^l Tob hee is to haue out of the Land, when it shall be rayed by Extent (Memoranduⁿ Clerks ffees & Sheriffs ffees are all included into this summe of 5000^l Tob.)

Re Lewis's
Estate

It is further Ordered th^t the Land belonging to Cap^t Will^m Lewis be extended (soe far forth as it will goe) to pay the Cred^{rs}, And all the Cred^{rs} who haue allready brought in their claimes shall be Apprays^{rs} of the s^d Land.

Vid. fol. 260
& fol. 318

Judgm^t is graunted to Cap^t Nicholas Gwyther, agst the Admistrato^r of Cap^t Will^m Lewis for 572^l Tob. to be recouered uppon the Land, when apprayed & extended according to the foregoeing Order

Gwyther v.
Goodrich

Judgm^t is likewise graunted unto M^r Edward Packer, agst the Admistrato^r of Cap^t W^m Lewis for 200^l Tob, The Remainder of a Bill of 600^l Tob. to be recouered uppon the Land when apprayed as afores^d

Packer v.
Lewis's Es-
tate

The Court uppon Speciall busines of the Councell adiorned for a while & being after Called againe proceeded.

(Vide 3 Md.
Arch. Coun.
357)

These are in the L^d Prop^{rs} name to will & requyre yo^u to Impanell a Jury of Twelue men to enquire in behalfe of the L^d Prop^r, what shall be gyuen them in charge concerning Rob^t Holt, hauing married on Christian Bounefeild (his owne Wife Dorothy being then & yett

Attorney
General v.
Holt

Liber lyuing) And returne this writt wth out delay, wth the names of the
 P. C. R. Juro^{rs}, soe warned by yo^u. And for soe doeing this shall bee yo^r
 warr^t Gyuen att S^t Leonards this 6th of Octobr 1658.

Josias ffendall.

To Sheriffe or his Deput^y.

p. 108 The Sheriffe Returneth his writt & warned

fforemaⁿ

Cap ^t Sampson Waring	Leiu ^t ffancis Armsstronge	John Daus
M ^r Philip Morgan	Will ^m Dorington	Tobias Norton
M ^r George Peake	Henry Robinson	Alex: Macgrudder
M ^r Robert Taylor	Henry Keine	James Mullekin

The Charge of his L^{ps} Attorney

Inditement
 Vid. fol. 185 Lett it be enqyred for the L^d Proprietary whither Robert Holt of
 Greens Poynt in S^t Georges hund^d, in the County of S^t Maries
 Cooper, on the 28th day of January last att the howse of Will^m Will-
 kinson in S^t Georges hund^d in the County afores^d Clarke, not hauing
 the feare of god before his eyes, & agst the peace of his s^d L^p being
 marryed to Dorothy Holt, did ffeloniously marry Christian Bonne-
 feild, the s^d Dorothy his lawfull Wife being then lyuing, contrary to
 the forme of the Statute in th^t case provided. And likewise whither
 Will^m Willkinson Clerke be not accessory to the s^d ffellony, in con-
 tryuing & Counselling the s^d marriage, after hee had diuorced the s^d
 Robert Holt, & Dorothy his Wife

An Enquest taken before the Coroner of S^t Maries County on the
 behalfe of the L^d Proprietary, & Robert Holt a ffelon Escaped 11th
 Septemb^r 1658

Wee find according to Euidence th^t the Prisoner Robert Holt, did
 fly (for feare of comming to Tryall for his fact committed by his
 owne confession before the Secretary) from the Sheriffe.

Will ^m Lucas	Will ^m Black	Will ^m Palmer	John Williams
John Metcalfe	Will ^m Heynes	George Wright	Daniel Clocker
Will ^m Boreman	ffane: Hill	John Nicholds	Will ^m Greene..

It is motioned att this Court by the Attorney Gra^{ftl} whither or noe
 Robert Holt, shall be called att this Court to Outlawry; or shall
 haue Respite to be called att fve seuerall Courts. And It is Ordered
 that hee bee called att fve Seuerall Courts, Robert Holt being once
 called. Returne is made by the Sheriffe, Not appeared.

Attorney
 General v.
 Wilkinson

Will^m Wilkinson Clerke being called & appearing hath saued his
 Bayle. And It is Ordered th^t the s^d M^r Will^m Wilkinson putting in
 Recogniz. to the L^d Prop^e of Twenty Thowsand pounds of Tob, to
 appeare att this Court, when euer hee shall bee Lawfully called. And
 thereuppon is discharged.

Vacat this Bond. This day came Will^m Willkinson of S^t Georges hund^d in the County of S^t Maries Clerke, & acknowledgeth himselfe indebted unto the Lord Proprietary of this prouince, in the summe of Twenty Thowsand pownds of Tob. if hee the s^d Will^m Willkinson shall not appeare by himselfe personally att the Prouinciall Court when euer hee shall bee lawfully summoned soe to doe, to answere to an Indictm^t preferred agst him as Accessary to a ffelony comitted by Robert Holt of S^t Georges Hund^d

Liber
P. C. R.

Vppon the Petⁿ of the p^{tf}, concerning a Parcell of Land Surueyed by the dēft: & forfeited after, by the Condiçōs of Plantaōn of w^{ch} the p^{tf} hauing notice procured a lawfull warrant & took up the same Land, Since the dēft (allthoug forewarned by the p^{tf}) hath seated & built vpon the s^d Land, & disturbed the p^{tf}.

Trueman v.
Stephens
p. 109

The Court doth find for the p^{tf}, And the dēft appealing to the Court in Equity. It is Ordered th^t the p^{tf} satisfy the dēft, what hee payd to the Carpenters for building, & satisfaction allso for the nayles.

Know all men by these p^{nts}, That I Humphrey Warren doe constitute M^r Mathew Stone my lawfull Attorney, to act in my behalfe concerning all & euery business w^{ch} may haue relaōn to mee in my absence. Wittnes my hand this 12th of May 1658

Warren v.
Hill

John Barnan.

Humph: Warren

Vppon the demand of M^r Mathew Stone the p^{tf}s Attorney, for Twenty fve shillings in money sterl. The dēft not appearing, nor Any Attorney for him. Judgm^t is graunted agst the dēft, on the behalfe of the p^{tf}, according to his demand. Exeqⁿ issued according to the Order Vid fol. 217.

Vppon the Petⁿ of the p^{tf} for Three months worke in Clearing of grownd W^{ch} being proued by the Oath of Cap^t John Odbur, It is thereuppon Ordered th^t the dēft satisfy the p^{tf} Three months worke, wth an able hand, according to his demand, wth one hund^d & thirty pownds of Tob. besides Court charges

Mullekin v.
Coursey
Vid Odburs
Oath fol. 49

To the R^t hon^{bte} the Gou^e & Councell of Maryland &c:

Lumbrozo
v. Ferreira

The humble Petⁿ of Jacob Lumbrozo Sheweth That whereas Dauid ffereira standeth indebted to yo^r Pet^e in the summe of Three Thowsand Eight hund^d Twenty one pownds of Tob & Cask, as shall appeare by a Just accompt. The w^{ch} hath bene seuerall times demanded, & hee refuseth to make mee paym^t Therfore yo^r Pet^r humbly craueth redresse agst him, & yo^r Pet^e shall dayly pray &c:

Liber
P. C. R. Vppon the Petⁿ, & demand allso of the pff, for wages for seauen months attendance on the dēft, amounting to 382¹ Tob. Respited till next Prouinciall Court.

Boreman v.
Brookes
Vid Order
fol. 35 Vppon the demand of the pff, Concerning a hogshead of Tob, w^{ch} hee alleageth to belong to him & was payd away by the dēft to his owne proper use (as is further expressed in an order the last Court) It is Ordered th^t this Cause bee sent downe to the County Court in S^t Maries County. That Edward Claxston be there examined, Whither the Tob in that hogshead payd away by the dēft, was the Tob made ouer by the s^d Claxston for Security to the pff or noe? And be there determined.

Coursey v.
Edlow
p. 110 The Cause depending betwixt Henry Coursey pff & Joseph Edlow dēft is wth drawne. The dēft paying Costs of suite.

Coursey v.
Seamor The Cause allso depending betwixt Henry Coursey pff, & Thomas Seamour dēft is wth drawne The dēft paying Costs of suite.

Hix v.
Sampson
Waring, et
al. vide fol.
41 Vppon the Complaint of Richard Hix agst Cap^t Sampson Waring for 800^t of Tob, w^{ch} Thomas Branson oweth him, W^{ch} Branson (being in the Sheriffs Custody, & under Exequuōn for the s^d debt) is now in M^r Henry Courseys seruice, & made a Crop of Tob this yeare wth him the s^d Coursey.

It is Ordered th^t the pff strike the s^d Crop of Tob, & pay himselfe Eight hund^d pownds of Tob, & Three hund^d Eighty six pownds more to Cap^t Sampson Warings, for Sheriffs ffees, out of the s^d Crop.

Reade v.
Mitchel
Vid. Order
fol. 41 Vppon the Petⁿ of the pff Touching a mare, W^{ch} Cause was Respited the last Court.

The pff auerreth uppon oath, That he receaued noe other satisfaction of the dēft, then fflowre hund^d pownds of Tob only.

It is Ordered (the dēft being called & not appearing and M^r William Coursey Sheriffe affirming in Court That Rob^t Harwood told him th^t hee had gyuen the dēft notice of th^t Attatchm^t) That the pff be satisfyed Twelue hundred pownds of Tob, out of a Debt due from Rob^t Harwood to the dēft & attatched in his hands; wth Charges of Court.

To the
Sheriffe
Attach: }
Exeqn } 200
To the
Cler 075
Hooper v.
Norton
Hall v.
Payton
Vide Order
fol. 44 Writt to the Sheriffe of Caluert County ad Exequend^m 16^o No- uemb^r according to the order supradict.

The pff being sick, a Respite is Graunted till next Court.

Vppon the Respite last Court, betwixt the pff & dēft, touching a Boate &c: The dēft being called, & not appearing eyther by himselfe or Attorney, It is Ordered th^t the pff be satisfyed six hundred pownds

of Tob attatched in M^r James Lindseys hands, wth Costs & dammages according to the former Order. Liber
P. C. R.

To the hon^{bte} the Gou^e & Councell

The humble Petⁿ of John Chearman Sheweth

Chearman
v. Boreman

That Will^m Boreman did about the first of March in the yeare 1656, inuite yo^e Pet^r to liue wth him, uppon his Plantaōn att Nangemy & there to putt in wth his Two seruants, to plant a Crop wth him, the s^d Boreman finding all necessaries accordingly. Afterward yo^r Pet^r hauing pitched a Crop, the s^d Boreman did promise yo^e Pet^r a Boate to fetch Cask, to putt yo^r Pet^{rs} Tob in. W^{ch} promise the s^d Boreman neuer kept. Notwthstanding yo^r Pet^r did att seuerall times presse & unto the s^d Boreman, th^t yo^r Pet^{rs} Tob did lye uppon the spoyle, who Replyed his word should bee his deed & promised yo^r Pet^r a Boate to fetch the s^d cask, by the last of August then next ensuing.

Now soe it is, the s^d Boreman immediately after this promise made went downe to S^t Maries, nothing regarding yo^r Pet^{rs} necessity, & his promise. Insomuch th^t yo^r Pet^r (fearing & disturbing his well fayre) thought himselfe bownd to looke after him; & was allso compelled thereto, for want of the s^d Cask. p. III

ffurthermore the s^d Boreman comming up wth yo^e Pet^r att or before Christmasse in the then yeare, did take away his seruants, before the s^d Crop was struck, to the dammage of yo^r Pet^r. Yo^r Pet^r neuer seeing him the s^d Boreman, nor any of his seruants from the time of his departure till about May then next following. Where att his coming up, hee the s^d Boreman went & ueiwed yo^r Pet^{rs} Tob, w^{ch} lay in Bulk & presently uppon sight thereof, Reported, That yo^r Pet^{rs} Tob was both fund^d & rotten, the w^{ch} yo^r Pet^r can sufficiently proue was most false & untrue Through w^{ch} Report & aspersion yo^r Pet^r was soe much damnified, th^t noe Merch^t would soe much as looke on yo^r Pet^{rs} Tob, nor could yo^r Pet^r that yeare for th^t Cause putt of any of his Tob.

Wherefore yo^r Pet^r humbly Craueth this hon^{bte} Court would be pleased to take the premises into their tender, & conscientious consideraōn, & th^t they would be pleased to allow yo^r Pet^r such satisfaction for his losse & dammages, as yo^r hon^{rs} in right & equity shall thinke fitt wth Costs of suite And yo^r Pet^r shall pray &c:

Will^m Head aged 32 yeares or thereabouts deposed sayth That about, or a little before Christmasse last was Tweluemonth, being att the howse of Will^m Boreman att the head of Nangemy; Hee heard Will^m Boreman promise John Chearman his Boate; that therewth Cask might bee fetched from James Lee his Plantaōn to pack the Crop of Tob, that was th^t yeare made uppon Will^m Boreman's Plantaōn, & further this Depon^t sayth not Vid. etiam
Lindseys &
Christ:
Joanes
Oaths fol.
49

Liber
P. C. R.
Boreman v.
Chearman

To the hon^{bte} the Gou^e & Councell

The humble Petⁿ of Will^m Boreman humbly Sheweth That whe^eas yo^r Pet^r did putt into the Custody of John Chearman Two seruants for whose Crops, the s^d Chearman was to be responsable unto yo^r Pet^r, & the s^d Chearman did oblidge himselfe to use his totall endeauo^e to make yo^r Pet^r good & sownd Tob, And allso the s^d Chearman tooke the charge of hoggs and Cattle, & as yett hath gyen yo^e Pet^r noe account thereof.

The premises considered yo^r Pet^r humbly craueth such satisfaction, as this hon^{bte} board shall iudge fitt, according to equity & Justice, according to the dammages as yo^r Pet^r shall iustly make appeare &

Yo^r Pet^r shall eu^r pray &c :

James Lindsey aged 30 yeares or thereabouts sayth, th^t the man he bought of Will^m Boreman was Three dayes striking of the Crop, of Will^m Boreman & another — Two dayes, And this Depon^t was
p. 112 Two or Three dayes a packing of the s^d Crop, & mending the hog-heads, & John Chearman had this Depon^{ts} Boate, & a hand to help him to fetch home the Cask for the use of Will^m Boreman, & was ready att all times to helpe the s^d Chearman about the s^d Crop, & further sayth not.

John Smithson aged 18 yeares & upwards Deposed sayth That in or about the month of ffebruary 1656, hee went wth M^r Will^m Boreman to Nangemy to helpe him strike a Crop of Tob, w^{ch} the s^d Boreman had there, committed to the charge & care of John Chearman. It being att th^t time when they came there a Season, & the s^d Chearman refused to haue it struck, saying it was to drye, & further sayth not.

Will^m Samford aged 22 yeares or thereabouts, Sayth uppon Oath, That M^r Will^m Boreman hauing a Crop of Tob att Nangemy, & Two seruants there to tend it, The charge of the Crop & seruants was committed to John Chearman as the Ouerseer, And the s^d Chearman goeing downe to S^t Maries this Depon^t asked him, if hee should strike the Tob, before his returne or not? & the s^d Chearman replied noe: Bidding this Depon^t Lett it alone, till hee came up, And Allso th^t M^r Boreman came up to Nangemy sometime in ffebruary, in the yeare 1656, wth Two other in the Boate, & desyred then to strike the s^d Crop, & the s^d Chearman would not consent to it, or permitt it: Saying th^t hee would not strike Tob soe drye, as then it was, alleaging th^t hee had lost to much & further sayth not.

Edward Harwood aged 20 yeares or thereabouts, deposeth the same, (Except the Last clause of M^r Boremans comming up to Nangemy to strike the Tob &c:) Viz. of his the s^d Chearmans goeing away to S^t Maries Bidding them to lett the Tob hang till hee came up.

Edward Harwood aged 20 yeares or thereabouts sayth That about Two yeares past his Master M^r Will^m Boreman had att Nangemy a

parcell of hoggs, to the quant^y of thirtie or more, & the s^d hoggs being wanting about fve weeks the s^d Depon^t would haue done his endeauo^e to haue fownd them & haue brought them home, But John Chearman who was the Ouerseer of the seruants & Crop, would not lett him, But sayd The hoggs would come home of themselues, & further sayth not.

Will^m Samford deposeth the same.

Vppon these Crosse accōns of John Chearman & Will^m Boreman Concerning a Crop of Tob &c: att Nangemy, w^{ch} Boreman sayth was spoyled through his the s^d Chearmans neglect & carelesnes, w^{ch} the s^d Chearman denyeth, producing wittnesses who affirme the contrary, affirming th^t the Crop, if spoyled, was soe occasioned rather through his neglect, & breach of promise or couen^t These accōns are putt to a Jury.

Warr^t to the Sheriffe for Jury. Ret forthwth

Sheriffe returneth his writt, & warned

fforeman

p. 113

Mr James Langworth	Patrick fforrest	Hugh Stanley
Cap ^t Sampson Waring	Henry Keyne	James Veitch
Thomas Turner	Philip Land	Richard Collett
Mr Henry Adams	John Holfhead	Michael Baysey.

Who Returne their Verdict in writing (Viz)

The Jury being agreed, & hauing long time debated the allegaōns on both sides doe returne their Verdict Viz.

Wee find to Chearman p^{tf} Twelue hundred pownds Tob. dammage wth cost of suite.

And th^t Boreman p^{tf} had noe iust cause of accōn, Therfor a non suite in th^t accōn, wth Cost.

The Court commanded the Verdict to be entred for the Judgm^t

Vppon the demand of the p^{tf}, for 338^t Tob & Cask, The dēft being call'd & not appearing, eyther by himselfe or Attorney, Judgm^t is graunted on the behalfe of the p^{tf}, agst the dēft for Three hundred thirty & Eight pownds of Tob & Cask, wth costs of suite.

Vppon this demand, It is ordered th^t the Attatchm^t be continued, & determined att the next Prouinciall Court.

Nonsuite is graunted to George Goodrick, wth Costs, agst Samuel Parker

Vppon the demand of the p^{tf} for Three hund^d pownds of Tob. & Cask, This Cause is sent downe to the County Court in S^t Maries County, To bee there heard & determined.

Liber
P. C. R.

Exeqⁿ is-
sued for the
ffees & Costs
in this Ac-
cōn vid. fol.
332

Jenkins v.
Mace

Adams v.
Parnell

Goodrick v.
Parker

Jarbo v.
Mattock

Liber James Mullekin came into Court, & doth acquitt & release M^r
 P. C. R. Henry Coursey from all orders of Court formerly had or obteyned
 Mullekin v. Coursey agst him the s^d Coursey, M^r Coursey paying the Court Charges.

To the hon^{bte} the Gouverno^e & Councell

Bowling v. The humble Petⁿ of James Bowling, Humbly Sheweth
 Anderton

That yo^e Pet^e had a Bond of M^r John Andertons for fowrty
 pownds sterl. wth a Condiçōn thereunto annexed, w^{ch} was as follow-
 eth (Viz) That if in case the s^d M^r John Anderton did faythfully
 buy Twenty pownds worth of goods in England, according to yo^r
 Pet^{rs} order to him in an Inuoyce gyuen when hee went to England
 last in Company wth the p^{ent} Gour^r, And consigne the s^d goods soe
 bought or to be bought by Bill of Lading signed by some Master of
 some good ship, th^t should come the then next returne of shipping
 from England to this prouince of Maryland againe, (w^{ch} the s^d M^r
 Anderton neuer did) And notwthstanding his Breach of Couent^t, God
 being pleased to uisitt yo^r Pet^r wth a greiuous siknes this last Spring
 euen unto Death, Yo^r Pet^r made a Will, & made the s^d M^r Anderton
 p. 114 Ouerseer thereof, to dispose of th^t Debt in case yo^r Pet^r dyed, unto a
 neare relaōn of yo^r Pet^{rs} in Virginia, But in case hee did recouer,
 That then the s^d Debt should remaine payable to yo^r Pet^r, as att first
 deliuering to him the s^d M^r Anderton his Bond in.

Now yo^r Pet^r being by gods prouidence restored to his health
 againe demanded of the s^d M^r Anderton his debt or Bond back
 againe, w^{ch} the s^d M^r Anderton did most p^efidiously refuse. Saying
 hee ought yo^r Pet^r nothing now the humble request of yo^e Pet^e is th^t
 this hon^{bte} Court would grant him Judgm^t, agst the s^d M^r Anderton
 for the s^d ffowrty pownds sterl. & Court Charge. And hee as in
 duty Bownd shall euer pray &c:

Arthure Ludford aged 36 yeares or thereabouts Sayth th^t hee
 drew a Bond of ffowrty pownds sterl. for James Bowling & M^r
 John Anderton signed it, to the best of this Depon^{ts} remembrance.
 To this effect, That the s^d John Anderton should ship him, by Bill of
 Lading taken in James Bowlings name Twenty pownds sterling
 worth of goods to be deliuered here att the first penny in England, &
 further sayth not.

The Informaōn of Will^m Hampstead

I will^m Hampstead am able to testify, That James Bowling did
 say unto mee, th^t hee made choyce of John Standish, because he
 knew his freinds, & hee would doe more for the s^d John, then hee
 should doe for another, & thus much I am able to testify uppon oath.

W^m Hampstead.

M^r Will^m Coursey deposed Sayth, That hee tooke a Bond out of
 James Bowlings Chest, att the s^d Bowlings appoyntm^t & Reading it,
 deliuered the same unto M^r John Anderton.

Mr Henry Coursey deposed sayth, That James Bowling had goods of Mr Anderton & the s^d Bowling desyred this Depon^t to rate those goods hee receiued, & hee Judged them to bee worth fowre pownds sterl. or thereabouts, att first penny. Liber
P. C. R.

Both parties being heard, It is Ordered That the dēft deliuer to the p^{tf}, John Standish, wth his proper hyre; & soe much goods att first penny, as shall make up the summe of Twenty pownds, Into w^{ch} summe of Twenty pownds the goods & seruant is to bee allowed, w^{ch} the p^{tf} hath allready receiued for the dēft.

The Court adiorned by the Gouverno^e till tomorrow morning.

Sub pen. to the Sheriffe to warne Rose Smith, Will^m Osberstone, Sub poenas & Jane Chambers to attend the Court. Eliz. Potter

The same Court proceeded

Thursday 7th of Octob^r 1658

1658
Oct. 7

Pnt^e.

Josias ffendall Esq ^r Gou ^r	Cap ^t Will ^m Stone	Mr Baker Brooke
Philip Caluer Esq ^r Sēcr.	Co th John Price	Co th Nathan: Vtye.

Whereas Henry ffox is ingaged for mee to Mr Thomas Hatton for fowre hund^d fowrty & three pownds of Tob & cask & to Mr Gwyther for fiue hund^d and ninety pownds of Tob & cask & some odde, of w^{ch} I haue made him paym^t of Three hund^d & six pownds of Tob & cask, now know all men by these p^ents That I Cap^t Will^m Mitchell haue for & in consideraōn of the s^d Ingagem^{ts} graunted bargayned & sold unto the s^d Henry ffox, as his Assignes all my Estate, right tytle & interest of & in the howse wherein I now dwell commonly called S^t Thomas, wth the Land & appurtenances thereunto belonging, To haue & to hold to him & his Assignes untill the remainder of his s^d ingagem^{ts} amounting unto Seauen hund^d Twenty & seauen pownds of Tob & Cask be fully satisfied & payd: or hee the s^d Henry ffox be fully & sufficiently saued & kept harmelesse & indempnified from soe much of them. In wittnes whereof I the s^d Cap^t Will^m Mittchell haue hereunto sett my hand, this 20th of Aprill 1653 Hall v.
Mitchell
p. 115

Will Mitchell

Tested by Vs

Pa. Simpson

Raph Crouch.

Vppon the demand of the p^{tf} for Seauen hund^d Twenty & seauen pownds Tob & cask, The dēft not appearing, And the p^{tf} producing a Couen^t shewing th^t the dēft ingaged a Tenem^t in consideraōn of that debt demanded, as is expressed in the s^d Couen^t The Court not finding any debt due from the dēft to the p^{tf}, but by th^t Ingagem^t of S^t

Liber Thomas's howse. It is Ordered th^t the p^{tf} haue his remedy agst the
P. C. R. Land.

Hamilton v. Vppon the demand of the p^{tf} for Two Cowes & a Calfe, belonging
Waring to the Estate of the Orphanes of Richard Moore deceased, W^{ch} s^d
Vid. fol. 205 Cowes were taken away (uppon Exequuōn) by the dēft, & sold con-
trary to Law, and Justice, as the p^{tf} alleageth in his Petⁿ The dēft
sayth, th^t hee brought a Copey of a former Exequuōn, & desyred a
new Exequuōn to be signed by the p^{ent} Gou^e by uertue of w^{ch} writt
he proceeded, & further sayth th^t hee gaue the p^{tf} notice of the s^d
writt of Exequuōn

A reference is graunted in this Cause to the next Prouinciall
Court, That the p^{tf} proue th^t these cattle Exequuted by the Sheriffe,
were the Cattle sett apart for the Children of the Deceased, or any
of their encrease

Jacobson v. Aaron Jacobson p^{tf} appearing uppon writt of Scire ffacias agst
Little & e John Little Dēft, & the s^d Little not comming to plead to the s^d
contrà Jacobsons allegaōns, It is Ordered th^t the s^d Little be nonsuited, & the
s^d Jacobson to haue Costs & Charges of Court.

Nicholas The dēft being departed the prouince wthout any passe had or
Keytin v. obteyned It is ordered That what the p^{tf} shall make appeare th^t hee
Robt Gwest is damnified att the next Court, by meanes of M^r Coueys carrying
away the dēft in his ship wthout a passe, shall be recouered on the s^d
Couey.

p. 116
Re Simp- ffrancis Brookes entreth a Caueatt agst the Estate of Paul Simp-
son's Es- son deceased for fiuteene pownds & a halfe of Beauer due by Bill, &
tate five hund^d & thirty pownds of Tob uppon account.

Ouerzee v. Vppon the demand of the p^{tf} for 14000^t Tob, It is ordered th^t this
Abrahal Attatchm^t be continued & the Cause respited till the p^{tf} bee here
p^{ent} in court.

Thomas v. The p^{tf} not appearing eyther by himselfe or Attorney, Nonsuite is
Potter graunted to the dēft wth Costs & charges of Court to be recouered
of the p^{tf}.

Maynard v. To the hon^{bte} the Gou^e & Councell
Gerard The humble Petⁿ of Charles Maynard Humbly Sheweth, That
Whereas Thomas Gerard of S^t Clem^{ts} Manno^e Esq^r did send his
note unto yo^r Pet^e desyring him to pay unto the Bearer thereof M^r
ffloyd one hogshead of Tob, for the use of M^r Robert Slye, w^{ch} yo^r
Pet^r did, & itt was marked wth M^r Gerards marke by the afores^d M^r
ffloyd in the p^{ence} of diuers of yo^r Pet^{rs} Neighbo^{es}. The afores^d M^r

Gerard further promising your Pet^r to take in his Bill, then in the hands of Henry ffox, in consideraōn of the fores^d Tob. W^{ch} hee hath noe wayes p^eformed, Soe th^t yo^r Pet^r still remaines ingaged to the s^d Hen: ffox w^{ch} is likely to proue uery dammeagble to yo^r Pet^r, in respect of his great pouerty, & the afores^d Bill remeyning soe long unsatisfyed.

Liber
P. C. R.

The premises considered yo^r Pet^r most humbly desyres th^t yo^r hon^{rs} will be pleased to constreine the s^d M^r Gerrard to secure yo^r Pet^r from the afores^d debt by procuring him, & deliuering him his Bill, wth all charges belonging to the suite & yo^r Pet^r shall eu^e pray &c:

Vppon the Petⁿ afores^d the dēft denyeth th^t the hogshhead doth belong unto him.

Edward Turner aged 22 yeares, or thereabouts sworne & examined, 30th of Septemb^r 1658, Sayth That about January or ffebruary was Tweluemonth M^r John fflood came to the howse of Thomas Dyniard, & did there demand a hogshhead of Tob of Charles Maynard, for the use of M^r Thomas Gerard, by uertue of a note, th^t M^r Gerard sent by the s^d M^r fflood to Charles Maynard wherein he desyred M^r fflood might haue a hogshhead of Tob deliuered him by the s^d Charles, for the use of M^r Gerard. ffurther this Depon^t sayth that M^r fflood did receaue a hogshhead of Tob vppon the account of M^r Gerard att that time of Charles Maynard: allso th^t M^r fflood marked the hogshhead wth T. G. att the same time, & further sayth not

Jurat Cora^r Rob^t Slye.

Robert Thomas sayth vppon oath in open Court, th^t M^r ffloyd brought a note from M^r Gerard, to receaue of Charles Maynard a hogshhead of Tob, for M^r Ger^rads use, W^{ch} he did receaue, & marke wth M^r Gerards marke.

Thomas Dyniard deposed allso in open Court, Sayth That M^r ffloyd ueiwd a hogshhead of Tob of Charles Maynard & opening the hogshhead sayd, The Tob is small, but I cannot find fault wth it & receaued it & marked it wth M^r Gerards marke T. G. p. 117

The Court vppon the fores^d Testimonies doth find That the hogshhead in dispute was receaued by M^r Gerards order, Weighing Two hund^d seauenty & fowre pownds neate, & therevppon ordereth th^t the dēft satisfy soe much unto the p^{ff}, wth Costs of suite. Writt of Exeqⁿ according the order, fol. 217.

Respited till next Prouinciall Court.

Stanley v.
Pott

To the hon^{bte} the Gouverno^e & Councell

Gerard v.
Evans

The humble Petⁿ of Thomas Gerard, Humbly Sheweth Whereas Cap^t Will^m Euans hath iniuriously taken yo^r Pet^{rs} marke from him, & the same hath recorded.

Liber
P. C. R. May it therfore please this hon^{bte} Court, to Order th^t the marke may bee restored (hee the s^d Cap^t Euans neuer hauing had any Cattle or hoggs of the s^d marke) againe to yo^r Pet^r wth dammages & charges of suite & hee shall pray &c:

The p^{tf} (besides what is alleaged in his Petⁿ) sayth, That his mark is of a long standing, allthough not heretofore recorded, & the dēft claymeth the marke, according to an Act of Assembly prouiding in th^t behalfe, & as first recorded by him.

The Gouverno^e requesteth the Councell to deliuer their Judgm^{ts} seuerally in this Cause.

Whereuppon M^r Baker Brooks Sayth, That M^r Gerard not finding any Bill of Sale of any of his cattle uppon Record, is to loose his mark; & Cap^t Euans recording the marke first, to haue the marke.

M^r Nath: Vtye. That according to the Law & presidents of the prouince the marke to belong to Cap^t Euans.

Cap^t John Price. Cap^t Euans to keepe the marke according to Act of Assembly.

Cap^t Will^m Stone. That M^r Gerard keepe his marke & stand to the Censure of the Court for his neglect according to the Act.

M^r Secretary. The marke to be to Cap^t Euans as the first marke uppon Record.

Gouverno^e concurreth wth the former opinion.

Vid. the
mark. fol. 25 Cap^t Will^m Euans att the Gouverno^{es} request doth assigne back his marke, unto M^r Thomas Gerard, W^{ch} the s^d Gerard enters for the marke of the Lord of St Clem^{ts} manno^e.

Philip Cal-
vert's ear
mark mark of Cattle. Philip Caluert Esq^r Recordeth his mark &c: Viz. The left eare Crop'd The Right eare ouerkeel'd.

Lord v.
Mathew
Stone
p. 118 The dēft being twice arrested, alleaging th^t it is a Play debt only, & the p^{tf} neuer appearing to prosecute, It is Ordered th^t the dft bee from henceforth quitt from all accōns concerning that suite & to haue Court charges, & th^t James Veitch bring in the Bill to the next Court to be cancelled.

Gerard v.
Evans and
Maunsell The p^{tf} demandeth Six hund^d fifty one pownds of Tob uppon Bill w^{ch} he produced in Court. And it appearing to the Court, That the Wittnesses are lyuing in Charles County, who can testify that the Tob uppon this Bill, was payd to James Hare, as M^r Gerards At- torney, for the s^d M^r Gerards use, It is thereuppon Ordered that this Cause bee sent downe to the County Court, in Charles County, to be there heard & determined.

The p^lf p^e Attornat, John Metcalfe complayneth agst the dēft, for th^t the dēft charged the p^lf, wth killing of one of his hoggs, W^{ch} the dēft denyeth, Liber
P. C. R.
Keytin v.
Bisco

marks Pheypo aged 58 yeares or thereabouts sworne & examined 22th of Septemb^r 1658 Sayth That about Two yeares agoe hee being att Rob^t Smiths howse, John Bisco being allso there amongst other company, he heard the s^d Bisco demand of Nicholas Keytin (who was allso there) why he killed his hogge, & logged it up? Of whom the s^d Keytin demanded, If hee could proue any such matter? The s^d Bisco replyed againe, hee would proue it & further Sayth not

Jurat Cora^r Will^m Bretton

Will^m Osberstone deposed in open Court sayth, That hee was p^ent in the howse att the same time, & Of the Company there, some were merry drinking & dancing & on a sodaine there was naming of hoggs & loggs. But remembers not th^t he heard Bisco say, That Keytin killed his hog, But he heard Keytin call Bisco Theife, ffor th^t hee had stollen his the sayd Keytins potthangers, as he alleaged then.

Rose Smith deposeth the same.

The Court find noe cause of accōn, & therfore a Nonsuite is graunted agst the p^lf, on behalfe of the dēft, wth Court charges.

The p^lf by Petⁿ complayneth agst the dēft, for that the dēft (the p^lf being from home) carryed away the p^lfs yowng Bull in company of other cattle, whereby he susteyned much losse & dammage, both in his breed, & milke. Gyther v.
Osberston

M^r John Metcalfe sayth uppon Oath th^t the dēft comming to the p^lfs howse, in company wth other Cattle, carryed away the p^lfs yowng Bull, w^{ch} Bull was neuer brought home to this day.

The dēft alleageth th^t carrying away certaine cattle, The Bull runne after them, Neyther could he force him back.

The Court see noe Cause of accōn, & therefore a Nonsuite is Graunted in the s^d suite agst the p^lf on the behalfe of the Dēft wth Court charges.

To the hon^{bte} the Gouverno^e & Councill

The humble Petⁿ of Adam Staueley Sheweth

That M^r Peter Sharpe about fiue yeares since or thereabouts did undertake to cure yo^r Pet^r of a lamenesse in one of yo^r Pet^{rs} Legges, w^{ch} was cutt wth the limme of a Tree, And the s^d Sharpe did for three dayes (after hee had soe undertaken to cure yo^r Pet^r) use his endeauo^e wth some dilligence to looke unto yo^r Pet^r But afterward the s^d Sharpe left yo^r Pet^r for the space of Ten dayes to yo^r Pet^{rs} great wrong. Hee being forced to send for another Chyrurgeon on board Cap^t Potts, who comming & ueiwing the soare, made but slight of it,

p. 119
Staveley v.
Sharpe

Liber
P. C. R. But searching it, fownd it to bee putrified, affirming th^t the soare had bene much neglected, Yett hee did promise to heale yo^r Pet^r wth those meanes hee should leaue him, as should make him sownd for a hogshhead of Tob, To whom yo^r Pet^r did passe his Bill for the s^d meanes. After this M^r Sharpe came to yo^r Pet^r & engaged before wittnes th^t he would make him a sownd man, wth a month or fiue weeks, or haue nothing for his labo^e. About a month or Two after Cap^t ffuller comming to M^r Sharpe's howse, where yo^r Pet^r lay, tould M^r Sharpe, th^t he did use contrary meanes for the effecting of the cure, prescribing him meanes, w^{ch} he should use, Whose aduice M^r Sharpe following did heale yo^r Pet^{rs} wound. And sodenly after M^r Sharpe demanded one Thowsand pownds of Tob for the Cure. Yo^r Pet^r uppon this promise did passe his Bill unto the s^d Sharpe (Viz) That the s^d Sharpe should find yo^r Pet^r Bath's & Oyles. Yo^r Pet^r not questioning in the least when he passed his Bill to the s^d Sharpe, but th^t hee would haue restored yo^r Pet^r to the p^efect use of his legge. But soe it is (may it please this hon^{bte} Court, th^t the s^d Sharpe after yo^r Pet^r had passed his Bill, did neglect, & cast of yo^r Pet^r, not any wayes endeououring to helpe him, or performe his promise uppon w^{ch} the Bill was passed, Through w^{ch} yo^r Pet^r was enforced to take a tedious & chargeable iourney to the Manados for his Cure

yo^r Pet^r therfore humbly craueth th^t the s^d Sharpe may make good the Cure to yo^r Pet^r, for w^{ch} yo^r Pet^r passed his Bill, & such dammages as yo^r Pet^r shall make appeare hee hath susteyned, wth costs of suite & yo^r Pet^r shall pray &c:

Vppon the Petⁿ afores^d The dēft (per Attornat Richard Smith) sayth That the Bill passed for one Thowsand six hund^d ninety Three pownds of Tob. was six hund^d & odd pownds for goods, & the Thowsand pownds was for dyett for Ten months in his howse, & nothing att all is charged for the Cure.

p. 120 Stephen Benson aged 32 yeares or thereabouts Sayth th^t in the yeare 1653, Adam Staueley being hurt wth the limme of a Tree, sent for M^r Sharpe, who came and dressd' the s^d Adam two or three times, leauing him meanes for to dresse himselfe, & the s^d Sharpe goeing to Patux^t stayed there eight or Ten dayes, during w^{ch} time the s^d Staueley being in much paine & misery, M^r Pott's ship comming downe from Seauerne, desyred, th^t the Surgeion thereof might bee fetched from aboard, w^{ch} this depon^t & M^r Parker did, yett wth much adoe preueiling wth him, who comming ashoare might but slight of the wound, but searching the same att the Patients importunity, he sayd there had bene in the busines a great neglect, ffurther saying th^t if hee were to stay, hee would not question, but to cure it, & if hee would giue him a hogshhead of Tob, hee would giue him meanes th^t wth his directions should wth gods help cure him. Whereuppon the s^d Staueley passed his Bill, & the s^d Chyrurgeon sent him meanes. Now

when M^r Sharpe came againe, & saw th^t another had it in hand, hee was uery much troubled, & went to M^r Parkers, & hee & M^r Parkers both coming to our howse, & being in discourse, the s^d Sharpe did promise to make a cure of it, in a month or thereabouts, or he would haue nothing for his labo^r, if hee would goe to his howse wth him, Now the Patient was there from May till ffebruary or thereabouts, & this Depon^t fetched him away & comming out of the howse hee heard M^r Sharpe say, th^t hee would gett him Oyles to anoynt his wound wth all, & when the Spring came hee would prouide him Baths, to bath the same wth, whereby hee might be fully cured, & further sayth not.

Liber
P. C. R.

Sara Benson aged 28 yeares or thereabouts sayth That about May was fowre yeares, Adam Staueley lyuing in the howse wth this Depon^t, being hurt wth a limme of a Tree did send for M^r Sharpe: who came three or fowre times & dressed his wound, & then the s^d Sharpe came no more for eight or nine dayes after; but left meanes wherewth this Depon^t did seuerall time dresse the s^d Staueleys legge. But for want of searching it did suffer much. In the meane time the ship coming downe, the s^d Staueley desyred this Depon^{ts} husband, to goe & fetch the Surgeon thereof ashoare, who came & dressed him twice, & then left this Depon^t meanes for to dresse him, Allso a note of directions how to use them, & how to make a bath, to bath it wth, Saying th^t hee did not doubt but to cure it, And att nine dayes end M^r Sharpe returning, & finding this Depon^t bathing the wound, was uery angry, th^t hee had gott another Chyrurgeon. This Depon^t answered th^t shee did nothing but according to direction of the surgeon of the ship, Whereuppon M^r Sharpe went away uery much displeased, And this Depon^t further sayth th^t shee did heare M^{rs} Parker say, th^t if her husband would giue her leaue, shee did not doubt but shee could cure it, & allso th^t shee heard M^r Parker say, That M^r Sharp told him, that if hee did not cure it, hee would haue nothing for his paynes.

Will^m Kent maketh oath, That about fwe yeares since, hee this Depon^t together wth Stephen Benson, being att the howse of M^r Peter Sharpe, to fetch away Adam Staueley he the s^d Peter Sharpe sayd, Yo^u may stay if yo^u please, If yo^u will not I will gett yo^u some Oyles for yo^r knee, when ships come in, & when the Spring come on, I will [give] yo^u some baths allso therfore, or words to th^t effect.

John Buridge sayth uppon oath, That being att the howse of M^r Peter Sharpe when Adam Staueley lay dangerously lame of his leg, Cap^t Will^m ffuller came thither, & the s^d Staueley desyred him to see his leg: & opening the same, the s^d Cap^t ffuller sayd, That the meanes were not good nor safe, th^t had bene applyed to it, & wth all he prescribed unto M^r Sharpe, what meanes hee should use, if euer he intended to make him a sownd man: & th^t hee knew of noe other meanes, soe safe for the cure, as th^t w^{ch} he prescribed or words to th^t purpose.

p. 121

Liber About the yeare 1654 in the month of Octob^r, I was wished by M^r
P. C. R. Peter Sharpe to looke on the wound of Adam Staueley, being then in
 cure att M^r Sharps howse, Where I fownd the applicaōns not fitt, I
 did aduise the Patient to make use of other meanes. Ri. Wells.

Sara the Wife of Sampson Waring aged 31 yeares or thereabouts
 deposed, Sayth, That being att M^r Will^m Parkers howse, shee en-
 quyrred of him uppon what account Adam Staueley went to M^r
 Sharps. His reply was th^t M^r Sharpe intended to cure him in three
 weeks, or a months time, or thereabouts, & make him as sownd a
 man, as euer hee was in his life or else hee would haue nothing for
 his paynes. Thus much shee heard M^r Parkers say, & further sayth
 not.

Cap^t Sampson Waring sayth uppon oath That hee was p^ent when
 Cap^t ffuller fownd fault wth M^r Sharpe for applying contrary meanes
 & medicins to the p^{tf}s leg, & told him, th^t what hee applyed would not
 only depriue him of his leg, but of his life allso, if he continued
 that meanes still, ffurther th^t hee knew noe other meanes to doe the p^{tf}
 good, but giptiaeuⁿ, & aduised M^r Sharp for his owne credit, & the
 Patients good to use the same.

And M^r Sharpe gaue this Depon^t order to arrest the p^{tf}, about
 Two yeares after, And this Depon^t asking him for what? M^r Sharp
 replied one Thowsand pownds of Tob was for his Cure of the p^{tf}, &
 six hundred & odde pownds was for goods, The Depos^{ns} being
 ueiwd & considered by the Court, It is ordered that the Bill of One
 Thowsand six hund^d ninty three of Tob, One thowsand whereof is to
 bee deducted for the p^{tf}, (the Cure not being perfected) & the
 Remainder (Viz) six hund^d ninety three pownds to bee due to the
 dēft, from the p^{tf}, And the dēft to pay charges of suite.

Martin v. Elionar Martin complayneth agst George Willson, for th^t the s^d
Willson Willson doth abuse her in her own howse.

Will^m Lucas sayth uppon oath, That about three yeares agoe,
 being att the Widdow Martins howse: George Willson & his Wife
 were allso there, & uppon some occasion or other the s^d Willson
 knockd the Widdows head agst the howse side, & made it bleed.

p. 122 Thomas Griffin sayth, That about three weekes agoe, being att the
 widdow Martins howse, George Willson & the Widdow falling out,
 the s^d Willson sayd th^t shee cheated him of his wifes portion, & shee
 sayd that hee was the ruine of her husband.

John Stephen sayth, That about three yeares agoe being drinking
 of sack, Willson, & his Wife fell out; & first hee kickd' his wife about
 the howse, & afterwards knockd' the Widdows head agst the wall of
 the howse.

Ordered this Cause bee sent downe to the County Court, in S^t
 Maries County to be there heard & determined.

Vppon the demand of the p^{tf}, concerning a Steare, killed by the dēft & belonging to the p^{tf}, The dēft alleageth th^t he sent to the p^{tf}, concerning the mark of the Steare, & if th^t it did belong unto him, to come & mak claime thereof, & hee would satisfy him therfore.

Liber
P. C. R.
Barnaby
Jackson v.
William
Stone

Thomas Griffin sworne sayth, That there was a Steare killed att his Masters howse, w^{ch} was not marked wth his masters marke.

Respited till next Prouinciall Court.

The Court adiornd by the Gouverno^r till afternoone.

Thursday afternoone All p^{ent} as afore (Except M^r Nath: Vtye

The p^{tf} producing a Bill or Couent^t, signed by the dēfts, for fowre hund^d & fowrty pounds of Tob in cask, The dēft alleageth, that hee is sued for the Bill, before th^t Tob is cured or payable, & promised the p^{tf} to pay him Two months agoe. It is Ordered th^t both parties bare their owne charges, & th^t the dēft pay the p^{tf} fowre hund^d & fowrty pounds of Tob in cask, when the Tob is cured & payable.

Philip Land
v. Emperor
Smith

Vppon the Petⁿ of the p^{tf}, alleaging th^t hee was arrested in Charles County for debt, & being proued th^t the Debt for w^{ch} the p^{tf} was arrested was not due (as by the s^d Order in th^t Court may appeare) & likewise hee being prisoner from the 27th of July, untill the 20th of August following he only demandeth of the dēft satisfaction for his trouble & charges of suite. The dēft sayth, th^t it was a mistake in the Sheriffe, & allso th^t hee agreed wth the p^{tf}s mate, for the charge.

Empson v.
Marshall

John Neuill aged 40 yeares or therabouts sworne Sayth That Thomas Baker & this Depon^t walking in the s^d Bakers plantaōn, The s^d Baker told this Depon^t th^t Will^m Marshall & he the s^d Baker had agreed, & this was about Sunday was fortnight, & further this Depon^t remembers th^t Thomas Baker sayd it was for a wrong action, & further sayth not.

Will^m Robinson aged 24 yeares or thereabouts sworne Sayth, That hee this Depon^t about the first weeke in Septemb^r last, did heare Thomas Baker say (as he the s^d Baker came from the last Court held att Wicocomoco, in company wth Will^m Empson & Will^m Marshall) that Will^m Marshall profered them 40^t Tob p^e day for their Court charges, & after a little consideraōn they did agree, & it was to bee sett on the backside of the Bill, & further this Depon^t sayth not.

p. 123

And it appearing by the fores^d oathes th^t there was an agreem^t made. It is Ordered th^t the p^{tf} be nonsuited, not hauing any iust cause of accōn.

Vppon the demand of the p^{tf}, agst Cap^t Will^m Mitchell dēft, It is ordered th^t the Attatchm^t be continued, & th^t the p^{tf} send the dēft word concerning the accounts specified in the Bill, & if the dēft appeare not att the next Prouinciall Court, uppon sufficient notice gyuen, Then the Court to proceed to Judgm^t

Stone v.
Mitchel

Liber
P. C. R.
Jacobson v.
Cornelius

Where as there is an order of Court bearing date 16th ffebruary 1657 for a Debt of six hund^d pownds of Tob & cask due from John Cornelius (as by the s^d Order appeareth) And that Cap^t Henry Keine & John Taylour should ueiw the worke & building of the s^d Jacobson &c:

Exeqnⁿ
issued Vid.
fol. 322

Henry Keine aged 33 yeares or thereabouts sayth, That hee this Depon^t, & John Taylo^r were ordered by the Court to apprayse a howse w^{ch} Aaron Jacobson & Albert Jhonson built for John Cornelius, Which howse he this Depon^t & John Taylo^r ualued att Six hund^d pownds of Tob & cask, & further sayth not.

It is ordered according to the appraysm^t That John Cornelius pay unto Aaron Jacobson Six hund^d pownds of Tob & cask.

Gerard v.
Willan and
Lindsey
Vid. fol. 204
& fol. 222 &
fol. 370

Thomas Gerard Esq^r complayneth agst Richard Willan, and James Linsey, ffor th^t they haue seated a Plantaõn uppon Snow Hill manno^r w^{ch} the s^d Gerard layeth claime to.

The dēfts alleage that they seated the same by order of their Graunt, under his L^{ps} Great Seale of this Prouince, It being forfeited to his s^d L^p according to an Act of Assembly &c:

M^r Henry Coursey sworne Sayth, That M^r Hatton did giue this Depon^t a Paper for M^r Thomas Gerard to signe if hee pleased, And this Depon^t asked M^r Gerard whither hee would signe the same, or not, To whom M^r Gerard answered th^t he would not, Then this Depon^t told him (as he remembreth) That M^r Hatton did not care, whither he signed the same, or not: Butt if hee did, hee would take it, as a fauo^r, (or words to th^t effect) & further sayth not.

Respited till next Prouinciall Court, & th^t All parties prouide themselues for their allegaõn, & defence.

To the hon^{bte} the Gou^e & Councell

Anderton v.
Bowling

The humble Petⁿ of John Anderton Sheweth

p. 124 That yo^r Pet^r did the last yeare James Bowling to liue wth yo^r Pet^r, that yeare, for the making of a Crop of Corne & Tob. as Ouerseer to your Pet^{rs} seruants, The s^d Bowling being by agreem^t to haue a share of the s^d Crop for his endeauro^{rs}, att the finishing of the same. Yo^r Pet^r depending uppon the s^d Bowlings honesty did not take care for the binding of the s^d agreem^t by writing obligatory, But about June in that then yeare went home for England, Leauing the s^d Crop, to the s^d Bowlings managing, & care, But hee the s^d Bowling after yo^r Pet^r was departed the Country, about Nouemb^r went downe for Virginia, Leauing all (but an inconsiderable part in bulk of the s^d Tob.) hanging, & the whole Crop of Corne in a heape, not husked: wthout hyring any one to looke after the s^d Crop of Tob. & Corne, whereby yo^r Pet^r hath bene exceedingly damnified, W^{ch}

dammages your Pet^r humbly referreth to yo^r hon^{rs} arbitraōn in Equity, for reparaōn wth cost of suite & yo^r Pet^r shall pray &c: Liber
P. C. R.

Vnto the p^{ts} Petⁿ the dēft alleageth, That hee gathered fowrty barrells of Corne, att one place, & Sixty barrells att another place, & hauing occasion to goe downe to Virginia, he left the care of the Corne & striking the Tob to Andrew Laremore, What Tob was cured, hee struck before hee went downe. And the p^{tf} replyeth That when the dēft was in Virginia, he susteyned much dammage, both in his Tob & Corne, being heated during his absence.

John Hollinsworth sayth uppon oath th^t there was (as hee supposeth) about 100^t of Tob, w^{ch} lay up & downe on the sticks, some whereof hee this Depon^t made up in twist, & other Tob there was in fowre seuerall Bulks: But what quantity there might bee, hee cannot tell, All w^{ch} was naught. But being proued th^t the dēft went downe to Virginia, wth leaue & lycence from the p^{ts} mother in Law (as shee her selfe acknowledgeth in Court) The Judgm^t of the Court is, That they see noe Cause of accōn, th^t the p^{tf} can bring hereby agst the dēft.

Vppon the demand of the p^{tf} for 1800^t Tob. in cask, The dēft sayth th^t he hath satisfyed to M^r Hallows that debt. Mrs. Jane
ffenwick v.
Walter
Pakes

John Bogue declareth uppon Oath That that Bill passed to M^r ffenwick by the dēft, was in consideraōn of a Judgm^t had agst the dēft, W^{ch} Judgm^t did belong to M^r Hallowes.

Will^m Yowng sworne sayth, That the discharge produced by the dēft, is this Depon^{ts} owne writing, And th^t hee receiued full satisfaction from the dēft, in consideraōn of that Judgm^t belonging to M^r Hallowes.

It is Ordered the dēft haue his Bills in wth costs of suite.

Vppon the Petⁿ of the p^{tf}, concerning Two horses, (belonging to the p^{ts} owne proper Estate) lent to the dēft, W^{ch} s^d horses were through the dēfts carelesnes heated & killed, in pulling out Two beifers, w^{ch} were myred belonging to Cap^t Cornewalleys, whose howsekeeper the dēft att th^t time was. The dēft sayth, th^t the first day hee went in company wth M^r ffenwick himselfe And the p^{tf} not being able to proue what is alleaged in her Petⁿ The dēft is dismissed. Mrs. Jane
ffenwick v.
William
Boreman
P. 125

The Court adiorned by the Gouverno^e till to morrow morning

ffriday 8th of Octobr^r

1658 Oct. 8

All present as yesterday.

Seymour v.
Eltonhead
Vid. the
Order fol. 42

Came Thomas Seymour, & assigneth that Order obteyned agst M^{rs} Jane Eltonhead for Seauen hund^d & twenty pownds of Tob att the last Prouinciall Court unto Robert Kingsbury for the use of Dauid fferreira. The Costs of suite being Sixty two pownds of Tob.

Liber
P. C. R.
Salter v.
Sowth

To the hon^{bte} the Gou^e & Councell

The humble Petⁿ of Thomas Sowth Sheweth.

That whereas att a Court holden the 20th of July last, in & for the County of Kent, John Salter commenced suite agst yo^r Pet^r for a certaine Plantaōn called Beauer neck, W^{ch} Plantaōn being of a ualue wth in the Cognizance of th^t Court, was iudged, to the s^d Demandant agst yo^r Pet^r, Whereuppon the s^d Demandant praying Cost of suite & dammages to the ualue of 11000^t Tob. The s^d Court proceeded to Judge 5444^t of Tob to the s^d Demand^t for w^{ch} summe they haue awarded Exequuōn. Now soe it is, that the s^d Commis^{rs} intermedling wth a Cause to a valew not wth in their Cognizance, Yo^r Pet^r humbly conceaues the plea for dammages was held Coram non Iudice, & craues leaue to assigne that as an Error in Judgm^t, And th^t yo^r Pet^r as to the Costs & dammages may haue a rehearing & th^t his goods in Exequuōn taken may bee to him restored, uppon security to see them forth comming uppon the finall Determinaōn of the Cause betweene us depending & yo^r Pet^r shall pray &c:

Whereuppon the Court considered the Error assigned, & order th^t the sayd damages be heard & determined the next Prouinciall Court to be held att Patux^t, & th^t the Sheriffe see all the goods by him in Exequuōn taken, to be restored to the s^d Thomas Sowth till a finall determinaōn of the Cause by the s^d Court.

This day Came Coth Nathaniel Vtye & acknowledged himselfe to stand indebted to the L^d Proprietary in the summe of Ten Thowsand pownds of good sownd Merchantable Tob. if Thomas Sowth shall not yeald up into the hands of the Sheriffe of Kent, all such goods, as hee shall from the s^d Sheriffe receaue, by Vertue of the foregoing Order. In case Judgm^t be gyuen agst him, uppon his Writt of Error for the whole damage demanded, or soe much as shall satisfy the Judgm^t by this Court to bee gyuen in case they find the damages not soe great, as is alleaged.

Giles Glover
v. Richard
True

The p^{tf} (per Attornat George Thompson) complayneth agst the dēft, ffor th^t the dēft sould unto the p^{tf} a Plantaōn & Land But hath not according to Couen^t deliuered a Pattent of the s^d Plantaōn or Land, Whereby his Tytle to the same, is noe wayes assured, And it appearing by the Couen^t shewen in Court, that there was a bargaine made betwixt the p^{tf} & the deft, But the Consideraōn not cleared, uppon w^{ch} the s^d Bargaine be claymed, w^{ch} might perhaps bee by way of illusion or fraud in eyther party. It is therefore Ordered th^t this Cause bee sent downe to the County Court, in Charles County (where both p^{ties} were residing att the making of the s^d Couen^t) to examine Wittnesses & heare the Case, & Report the State of the same, to the next Prouinciall Court.

The p^{tf} produceth a Bill, & an account of Thomas Greene Esq^r deceased, Whereby (as it appeareth) the s^d Greene was indebted to Maior Thomas Cely of Virginia Merch^t in the summe of Two Thousand seauen hund^d pownds of Tob, And desyreth that Henry Adams ffeoffee in trust to the s^d M^r Greene may make answere thereto. The dēft demandeth of the p^{tf}, to shew by what power hee sueth, Who thereuppon produced his l^re of Attorney, Vpon sight whereof alleaging that he is as yett ignorant concerning th^t debt, as allso the other ffeoffee M^r James Langworth; & motion th^t this Cause be sent downe to the County Court in Charles County, by w^{ch} time they may ueiw the accounts of the s^d M^r Greene, & the better informe themselves concerning the s^d Claime, & be there heard & determined, W^{ch} was graunted & Ordered accordingly.

Liber
P. C. R.
Richard
True v.
Henry
Adams

Thomas Gerard Esq^r & M^r Henry Adams Came this day into Court desyring to be admitted to proue the Will of Benjamin Gill deceased who produce these their following Testimonies.

Re Gills'
Estate

May 31th 1658

Jane Clearke aged fowrty six yeares or thereabouts sworne & Examined Sayth, That M^r Benjamin Gill deceased lay sick, att her howse att Portoback about a month before hee dyed, And th^t often times in that month, shee heard him speake of making his will, & that his desyre was th^t M^r Gerard & her sonne Adams should bee his Executo^{rs}, When hee drew neare his end hee desyred her to tell M^r Gerard & her Sonne Adams his Executo^{rs}, That they should dispose of his Estate, as hee had told her, & further sayth not.

Not in
Baldwin

p. 127

Eode^m die.

Mary Adams aged 21 yeares or thereabouts sworne & examined Sayth That shee was p^{ent} att M^r Gill's death, & that shee heard M^r Gill a little before hee dyed appoynt M^r Gerard & her husband his Executo^{es}, & further sayth not

Eod die.

Jane Cocksute aged 17 yeares sworne & examined Sayth, That shee was present att M^r Gills sicknes & death, & That shee heard him often say that M^r Gerard & her Brother Adams were his Exequuto^{es}, And further sayth not.

Jurat, oēs Cora^m Robert Clearke.

May 31th 1658.

Jane Clearke aged fowrty six yeares or thereabouts sworne & examined Sayth, That M^r Benjamin Gill late of this Prouince Deceased dyed att her howse att Portoback the 22th of Nouemb^r in the yeare 1655, And a little before his death, shee asked him if hee had a Will & he tould her noe, nor euer made any in his life, But when hee

Liber
P. C. R. lay sick att M^r Gerards, M^r Gerard & his Wife urged him to make a Will, But he made none, And the reason was, as the s^d Gill tould this Depon^t, because they would haue him make Rob^t Cole his heyre, But he sayd hee would not, ffor the s^d Cole did not deserue it att his hands, And th^t shee neuer did see any Will amongst his writings, And further Sayth not.

Eod. die.

Mary Adams of this Prouince aged 21 yeares, or thereabouts sworne & Examined Sayth, Shee was att Portoback att her Mothers howse att the time when M^r Benjamin Gill dyed, That neyther then nor before, shee neuer saw any written Will, & further sayth not.

Eod. die

Jane Cocksuite of this prouince aged 17 yeares or thereabouts deposeth ide^m quod her Sister Mary Adams ut suprà.

Jurat Oēs Cora^m Rob^t Clearke.

Robert Cole his Interrogatories proposed to M^{rs} Jane Clearke, M^{rs} Mary Adams, M^{rs} Jane Cockshott, Concerning M^r Benjamin Gill his last Will & Testam^t, wth their answers thereunto uppon Oath & Examinaōn

July 26th 1658.

ffirst Doe yo^u remember att what time M^r Benjamin Gill deceased did speake concerning making his Will, or appownting Executo^{es}.

2^{ly} Can yo^u testify th^t Benjamin Gill, did of purpose call or desyre any p^eson or p^esons as wittnesses: or were to th^t purpose requyred by him to take notice of any words spoken by him to th^t purpose, When, Where & in whose p^ence, was any such by the s^d Benjamin Gill.

p. 128 3^{ly} Was the s^d Benjamin Gill perswaded to appoynt Exequuto^{es}, & such as hee did seeme unwilling to appoynt. Were any p^esons hindred to come to him uppon his request to th^t intent, or any to committ his Will to writing.

4^{ly} Are any the Witnesses of his appoyntm^t of Exequuto^{rs} soe neare of kinne to the Exequuto^{rs}, or Exequuto^r, That they may probably p^eties to the s^d Exequuto^{rs} cause.

5^{ly} Were not some of the Witnesses or all of them to receiue some benefitt, or Legacies, by such his nuncupative Will.

6^{ly} Can yo^u sweare th^t the s^d Benjamin Gill, was of perfect memory, when hee made choice of the pretended Exequuto^{rs}.

Jane Clearke aged 46 yeares or thereabouts, her answere to the aboues^d Interrogatories uppon oath & Examinaōn ut suprà.

To the ffirst. That it was a little before hee dyed, hee spoke it before this Deponent & her husband Cawsine, & her Daughter Adams.

To the second. That hee called in this Depon^{ts} husband Nicholas Cawsine, her selfe & Daughter Adams, & desyred Will^m Harper her sonne Adams his man to write his Will, And to th^t intent, pen, inke, & paper was brought. But the sayd Will^m Harper not knowing the forme of a Will, desyred hee would deferre it, till his Master came home. Vppon w^{ch} hee desyred us present (Viz) her husband, her selfe, & Daughter Adams to take notice of his Verball Will. Liber
P. C. R.

To the third. That for the Exequuto^{rs} they were of his owne choyce & motion not knowing any, th^t p^eswaded him to them, And that hee desyred to speake wth M^r ffitzherbert, & M^r Gerard, but it could not possibly bee effected.

To the ffowrth. That shee was Mother in Law to one whom hee did appoynt his Exequuto^r & that her Daughter Adams, who is a wittnes, was then & is still Wife of One of the s^d Exequuto^{rs}

To the ffifth. That her Daughter who was a Wittnes had not any Legacy left, But to her selfe & her husband was Legacies left who were witnesses.

To the Sixth. That to the best of her iudgm^t, hee was in perfect sence & memory, when hee made choyce of his Exequuto^{rs}, & continued in the same, to his last breath.

Sworne before mee the day & yeare aboue written Job Chandler.

Mary Adams aged 21 yeares or thereabouts her answere to the fores^d Interrogatories uppon Oath & Examinaōn.

To the ffirst. That the uery day of his death he nominated & appoynted M^r Thomas Gerard & this Depon^{ts} husband to bee his Exequuto^{rs}.

To the Second. That a little before M^r Gills departure this Depon^t lyuing then in her ffather in Law Cawsines howse, was called into the roome, where hee dyed by her mother, And hee desyred all there p^ent, w^{ch} were her ffather in Law her mother, & her selfe to take notice that was his Will. p. 129

To the Third. That the first day M^r Gill came to this Depon^{ts} mothers howse, he nominated M^r Thomas Gerard, & her husband to bee his Exequuto^{rs}, & did not att any time after heare him mention any else, & to the best of her knowledge he was not perswaded to make choyce of any Exequuto^{rs}.

To the ffowrth. That shee was Wife to one of the Exequuto^{rs}, & that shee was a wittnes but noe Legatee.

To the ffifth That all but her selfe were.

That to the best of her knowledge he was, ffor he spoake senceably, & knew us all there present.

Sworne Eod die Coram me Job. Chandler.

Liber
P. C. R. Jane Cockshott aged 17 yeares or thereabout her answere to the fores^d Interrogatories, uppon Oath & Examinaōn.

To the ffirst That the first day M^r Gill came to this Depon^{ts} mothers howse, being the time he there dyed, hee spake of making his Will & th^t hee did nominate M^r Gerard & her Brother Adams to bee his Exequuto^{rs} & th^t he desyred it seuerall times in his sicknes.

To the Second. That the same day M^r Gill dyed this Depon^t Sayth, Shee was wth her sister Adams called into the roome by her mother, where M^r Gill was, her ffather in Law Cawsine being present, Where M^r Gill desyred them to take notice th^t this was his Will, And th^t Will^m Harper being called in to write his Will desyred to bee excused not knowing the forme.

To the Third. That shee knows not That M^r Gill was p^eswaded by any to make choyce of his Exequuto^{rs}, or th^t hee was hindred of any persons to come to him, That hee desyred.

To the ffowrth. That shee was sister in Law to One of the Exequuto^{rs}, but further knows not.

To the ffifth. That shee was not present, fully to heare M^r Gills Will, therfore knows nothing concerning Legacies, & th^t shee doth not remember any part of it (Except) That hee desyred all his cattle should be brought to her mothers howse & there to remaine for three yeares: & the nominating his Exequuto^{rs}, w^{ch} were those aboue mentioned.

To the Sixth. That to the best of her Judgm^t he was, for he was sencible, & knew all that were there present.

Sworne Eod die Coram me

p. 130 The Deposⁿ of M^{rs} Jane Clearke aged 46 yeares or thereabouts Sworne & examind this 16th of August 1658.

Sayth, That Beniamin Gill deceased after nominating & appoynting his Exequuto^{rs} w^{ch} were M^r Thomas Gerard, & this Depon^{ts} sonne in Law Henry Adams, did dispose of his wordly goods as followeth.

Imp^e That one Thowsand pownds of Tob, or thereabout, w^{ch} was in M^r Thomas Gerard & M^r Robert Syles hands should be gyuen to the Church to bee prayed for.

2^{ly} That hee gaue to this Depon^t in consideraōn of her paines & charges all his moueable goods, Excepting his Chayres & Stooles & Table, w^{ch} were att Widdow Lewis her howse, The w^{ch} Chayres, Stooles & Table, hee gaue to this Deponents Daughter Jane Cockshott

It. Hee gaue to this Depon^{ts} husband Nicholas Cawsine fue hund^d pownds of Tob: & fue hund^d pownds of Tob more to this Depon^t, And to this Depon^{ts} Daughter Jane Cockshott, & her sonne Ignatius, & Nicholas Cawsine to each of them hee gaue fue hund^d pownds of Tob.

It. To this Depon^{ts} Sonne Ignatius Cawsine, he gaue his best Liber
P. C. R.
suite of cloathes

It. Hee did bequeath to his Cozen Robert Cole fīue hund^d pōwnds of Tob, and told this Depon^t hee did it, that hee should not molest his Exequuto^{rs}.

It. That all his Cattle should bee brought to this Depon^{ts} howse, & there remaine for three yeares, & att the end thereof the encrease should be sould, to help pay the Legacies, And the Principall stock he gaue to this Depon^t.

And if in case his sonne in Law M^r James Neale, or any from him, did not come, wth in the tearme of Three yeares into Maryland, That that Land belonging to him should bee disposed of by his Exequuto^{rs}, And after they had performed his Legacies, the Remainder he gaue to his Exequuto^{rs}, And wth all desyred th^t some what out of Charity might be gyuen by his Exequuto^{rs} to such poore men as M^r Greene, what they should think good, & further sayth not.

Sworne before me, the day and yeare aboue written Job Chandler.

The Deposⁿ of Mary Adams aged 21 yeares or thereabout sworne & examined this 16th of August 1658.

Sayth That Beniamin Gill deceased, when hee made his Will, did giue One Thowsand pōwnds of Tob to the Church w^{ch} was in M^r Gerards, & M^r Slyes hands, as hee supposed or more: But if it were not, he desyred his Exequuto^{rs} should see it made good, Item hee gaue to this Depon^{ts} ffather in Law Nicholas Cawsine fīue hund^d pōwnds of Tob, & to this Depon^{ts} mother hee gaue fīue hund^d pōwnds of Tob, And to this Depon^{ts} sister Jane Cockshott, & to her Brothers Ignatius & Nicholas Cawsines to each of them he gaue fīue hund^d pōwnds of Tob, And th^t if his sonne in Law M^r James Neale, or any of his Children did not come into Maryland wth in three yeares, That then his Land & encrease of his cattle, should be sould by his Exequuto^{rs} & further sayth not

Sworne before me, the day & yeare aboue written Job. Chandler

Thomas Carpenter Sworne in open Court Sayth, That hee was wth p. 131
M^r Gill many times before hee dyed during his sicknes & putt him in mind of making his Will, And M^r Gill tould him, that hee had sent for M^r Gerard, & when M^r Gerard came hee would make his Will, And th^t hee would make M^r Gerard & M^r Adams Exequuto^{rs}, And this Depon^t goeing from him the day before hee dyed, hee desyred him to speake to M^r Slye for some comfortable things, for that hee thought the worst to be past wth him, And then he had made noe will, as this Depon^t knowes of, And further many times discoursing wth the s^d M^r Gill hee heard him say, That hee would giue Robert Cole fīue hund^d pōwnds of Tob. & further sayth not

Liber Robert Cole (per Attornat James Langworth) obiecteth, That the
P. C. R. p^{et}ies (all of them) by whom M^r Gerard & M^r Adams intends to
proue a Will are interested as Legatees.

The Judgm^t of the Court is That there is not sufficient prooffe made
of the sayd Will.

Alewander The p^{tf} (per Attornat Will^m Mills) complayneth agst the dēft for
Watts p^{tf}. th^t Año 1657, the dēft coming to the p^{tf} & demanding the Leauy w^{ch}
James Veitch dēft came unto 50^l of Tob, the s^d dēft sett the Broad arrow on a hogshead
of Tob of the p^{tf}s, depyuing him thereby of the use thereof, & w^{ch}
hogshead of Tob. is now rotten.

Will^m Ennis sayth uppon oath, That after the hogshead was soe
marked, the p^{tf} promised the dēft to repack that hogshead of Tob.
The dēft likewise promising, to lett him haue goods for the ouerplus.

And the dēft produced his account for Leauis & ffees, Three
hundred Thirty two pownds of Tob.

The Court see noe cause of suite.

Mr Henry This Cause being uppon accounts &c: & intricate, A Jury is
Coursey p^{tf} empanelled.
Michaël

Baysey dēft Warr^t to the Sheriffe to empanell a Jury of 12 men Ret forthwth
Sheriffe returneth his writt & warned

fforeman

M^r Robert Slye

Cap^t Willm Euans

M^r Henry Adams

Henry Keine

M^r James Lindsey

M^r Richard Willan

M^r John Hatch

Philip Land

Thomas Letchworth

James Veitch

Will^m Dorington

Hugh Stanley.

who returne their Verdict in writing (Viz)

Whereas the p^{tf} M^r Henry Coursey demandeth of Michael Baysey
dēft, by specialty fower hund^d & sixteene pownds of Tob & cask, &
uppon a former Court Order due to the p^{et}ticular Estate of the s^d p^{tf}
Two hund^d thirty nine pownds of Tob & cask, & one hund^d pownds
(due uppon account) of Tob & cask, w^{ch} in all amounteth to Seauen
hund^d & fifty fve pownds of Tob & Cask, And the s^d defendant mak-
ing nothing thereof to appeare payd. Wee find for the p^{tf} seauēⁿ
hund^d fifty fve pownds of Tob. & Cask wth cost The verdict
entred for the Judgm^t

p. 132
Overzee v.
Eltonhead
vid. order
fol. 36
vid. fol.
infra 208

To the hon^{bte} the Gouverno^e & Councill

The humble Petⁿ of Jane Eltonhead Sheweth

That in Aprill att the last Prouinciall Court yo^r Pet^r had an Order
graunted agst her att the suite of M^r Symon Ouerzee, Concerning
some cattle of the s^d Ouerzees w^{ch} were strayed, & gott amongst yo^r
Pet^{rs} cattle unknowne to yo^r Pet^r. Yo^r Pet^r being ill att th^t time when

the s^d Order was graunted; & not hauing any Attorney in Court, Liber
P. C. R.
Shee humbly prayes this hon^{bte} Court to take the premises in Con- sideraōn & yo^r Pet^r as in duty bownd shall pray &c:

John Hollinsworth aged 19 yeares or thereabouts Sworne & Examined this 7th of Octob^r 1658, Sayth in open Court.

That hee was Cowkeeper unto M^{rs} Eltonhead, & goeing into the Marish one night, where his mistresses Cattle were, he saw amongst them Two strange Cowes, the one of them hauing newly calued, & the other had a calfe about a weeke old. And That that uery night there fell a great Snow about Kneedeepe (as this Depon^t thinketh) And the next morning his M^{es} sending for her owne Cattle home this Dep^t sayth that that Cow w^{ch} had calued the night before, had lost her calfe, And that the other Cow th^t had the Calfe was swamped & dyed together wth 3 other of his M^{rs} owne Cowes att the same time, this Depon^t being then uery sick, But what became of the calfe hee knoweth not And for the other Cow shee neuer knew any calfe shee had, saue only th^t w^{ch} was lost in the snow & further sayth not.

James Bowling aged 22 yeares or thereabouts sayth, that M^{es} Eltonheads Cowkeeper came out of the Marish, where these two strange Cowes were, & when he came home he related that of these strange Cattle one was dead in the swamp, & he heard Sawnders Laremore say the same, th^t shee was dead in the swamp, & this Cow appeared afterwards to be M^r Symon Ouerzees, & further sayth not.

Alexander Laremore sayth That there once was Two Cowes & one Calfe of M^r Ouerzees amongst M^{rs} Eltonheads cattle, And M^{rs} Eltōheads seruants dryuing their owne cattle home, the s^d Two Cowes followed the other cattle, euen to the howse, And That Cow th^t had the calfe dyed, But what became of the Calfe this Depon^t knoweth not, & for the other Cow hee neuer knew any encrease shee had.

M^r John Anderton Sayth uppon oath in Court That there was Two Cowes & one Calfe amongst some cattle of M^{rs} Eltonheads, belonging to M^r Ouerzee, And the seruants fetching home their owne cattle the s^d Two Cowes & calfe followed the other cattle home to the howse, And this Depon^t Sayth th^t that Cow th^t had the Calfe was swamped & dyed, But what became of the calfe hee knoweth not, And as to the other Cow hee neuer knew any Calfe shee had.

This Cause is Respited till next Court th^t M^r Ouerze be p^{ent} in Court.

To the hon^{bte} the Gouverno^e & Councill

The humble Petⁿ of Margaret Brent Sheweth

That Thomas White late deceased wth in this prouince, out of the tender loue & affection hee beare unto yo^r Pet^r, intending if hee had lyued, to haue married her, Did by his last Will giue unto yo^r Pet^r Re White's
Estate
P. 133

Liber his whole Estate, w^{ch} he was possest of in his life time, as yo^r Pet^r
P. C. R. can make appeare by seuerall depos^{ns} prouing the s^d Will.

Yo^r Pet^r therfore humbly craueth this hon^{ble} Court would be pleased to take into their Charitable Consideraōn yo^r Pet^{es} condicōn, being a Seruant, And th^t yo^r Pet^r being the lawfull Exequutrix of the s^d White & solely concernd' in the Estate, Vppon prooffe of the Will, order of Court may be possed' of the s^d Estate & yo^r Pet^r shall pray &c:

Samuel Packer aged 24 yeares or thereabouts Sworne & examined this 2^d day of Octob^r 1658 Sayth.

That about the middle of Octob^r last past, comming to Will^m Marshalls to worke, he found there Thomas White deceased killing a hogge & amongst other familiar discourse, hee told this Depon^t th^t hee was crasye & desyred to eate some fresh prorke, saying I thinke I shall haue noe great occasion to kill any more: & taking this Depon^t by the Sleeue sayd, the rest are Margaretts if I dye, & further sayth not.

Jurat before me James Walker.

And Vppon this & other oathes produced, & formerly Recorded, there could not bee prooffe made of the will.

Gerard v. Vppon the Petⁿ of Thomas Gerard Esq^r demanding One Thow-
sand pownds of Tob & Cask, By a Note produced wth seuerall names
[vide 3 Md. att itt: imploying & sending downe him the s^d M^r Gerard as Burgesse
Arch-Coun. 276] to S^t Maries June 14th 1652.

It is Ordered th^t the Pet^e haue fīue hund^d pownds of Tob & cask, To be equally payd him, by the Subscribers of the s^d note, & to be gathered up by the Sheriffe together wth the Country Leauiers.

Will^m The p^{tf} departing the Court, & not putting his plea in, agst the
Battin p^{tf} dēft, Ordered th^t the p^{tf} be nonsuited and pay fīue hund^d pownds of
Cap^t Will^m Tob to the dēft for his molestation and trouble, Writt Exeqⁿ accord-
Stone dēft ing to this Order, Vid. fol. 217.

Re Hatton's
Estate

To the hon^{ble} the Gouverno^e & Councell

The hum^{ble} Petⁿ of Patrick fforrest Sheweth

That yo^r Pet^r & Cap^t Rich: Banks being left Trustees or Exequuto^{rs} of the late Estate of M^r Thomas & M^{rs} Margaret Hattons both deceased, Haue by & wth the consent of the s^d M^{rs} Hatton's Children bargayned & sould unto the woth Philip Caluert Esq^r the howse & howses, as allso the Land late in the possesⁿ & occupaōn of the s^d M^r Hatton, That is if in case this hon^{ble} Court shall thinke fitt to allow thereof the s^d M^r Hatton in his Will, leauing the Legality of the s^d Saile, unto the confirmaōn or disallowing of this hon^{ble} Court.

Hee humbly requests th^t yo^u will passe yo^r Censure thereuppon, & th^t it may bee entred uppon Record, And yo^r Pet^e shall euer pray &c: Liber
P. C. R.

Vppon the fores^d Petⁿ The Gou^e requesteth the Councell then p^ent in Court to declare, each, their Opinion in this Cause.

Co^h John Price declareth That hee iudgeth it better for the behoofe of the Children to sell it, then keepe it in their hands.

Cap^t Will^m Stone his Opinion is, That the Exequuto^r hath done well, if hee dispose of it.

M^r Baker Brooke sayth, That he thinketh it the best way for the benefitt of the Children, Yett hee doth not thinke it in the power of the Court to order the Sale.

Gouerno^r That it would bee for the Childrens best aduantage if it were sould, But the Pet^r cannot make the Bwyer any assurance of the Tytle to the Land.

Whereas Cornelius Johnson stands indebted unto Henry Thickpenny, in Six hund^d & odde pownds of Tob. as is proued by the Oaths of Michael & Joane Baysey, And the dēft being lawfully summoned, & not appearing, but by his Attorney crauing a Reference, And whereas the s^d suite was respited the last Court, by reason of the Dēfts absence in that Court, It is Ordered th^t the Dēft pay or satisfy unto the p^{ff}, Six hund^d & odde pownds of Tob & Cask, els Exequuōn, Writt. Exeqⁿ &c: fol. 217. Thickpenny
v. Johnson
Vid. fol. 30
& 31
Vid. fol. 39
& 46

Vpon the Petⁿ of the p^{ff}, alleaging That being the Cheife or greatest Cred^e to the Estate of John Crabtree deceased, & entring his caueat agst the s^d Estate in M^r Hattons Record in the time of the last troubles, & since the surrender of the Gouverm^t hath taken out Lrēs of admistraōn of the s^d Estate, Yett during the s^d troubles, Will^m Stephens by far the lesse Cred^e, had Lrēs of Admīstraōn Graunted him, & hath disposed of the s^d Estate, according to the same by Vertue of his Lrēs of admīstraōn the p^{ff} sues, & requesteth the Court, that the s^d Stephens giue his s^d Admīstraōn up, & account to the p^{ff} for the same The Judgm^t of the Court is, (There appearing noe Cause of accōn) That the p^{ff} be nonsuited, & pay Costs to the dēft. Philip Land
v. Will^m
Stephens

The P^{ff} sheweth by Petⁿ, that the dēft engaged himselfe to pay a Debt unto the p^{ff}, w^{ch} one Rob^t Nugent owed her, The dēft sayth that hee engaged not, Only in Case the s^d Nugent lyued wth him, Hee would secure soe much Tob, in his hands for the use of the p^{ff}, yearely (his necessaries & cloathing being first prouided for) as hee made it, till the Debt was satisfied & payd, But the dēft being kept prisoner att Seauerne, the s^d Nugent went away from him & dyed. Ellionor
Martin v.
Capt Nich:
Gwyther
p. 135

The Court see noe Cause of accōn, & thereuppon the p^{ff} is nonsuited

Liber
P. C. R.
Cole v. Gills'
Estate

To the hon^{bte} the Gouverno^r & Councell

The humble Petⁿ of James Langworth Attorney of Robert Cole
Humbly Sheweth

That whereas M^r Benjamin Gill, late of this prouince Deceased, hath formerly obteyned an Order for an Extent agst the Land of M^r James Neale in Considera^on of 16000^t of Tob & Cask, or thereabouts, being payd by the fores^d Gill, for the use of M^r Neale as will appeare uppon Record. His humble request is That yo^r hon^{rs} will graunt the Admⁱstrato^r the Benefitt of that Order Soe th^t he may bee in a Capacity of receauing the Tob due from the s^d Neale, to the deceased or his heyres & he shall pray &c:

Referred to the next Prouinciall Court.

To the hon^{bte} the Gour^r & Councell &c:

Eltonhead v.
Anketill

The humble Petⁿ of Jane Eltonhead Sheweth

Vid.
Anderton's
deposⁿ infra
fol. 137

That yo^r Pet^{rs} late husband Will^m Eltonhead Esq^r being in the late troubles sentenced to Death, by the p^ety then in opposition to his L^{ps} Gouverm^t did some time before his death call unto John Anderton Gentⁿ & wth intent to make his last will & Testam^t, Did say unto him the s^d Anderton, That he left all his Lands, wth all his other goods & Chattles to her disposing, for the good of her, & her Children, & desyred her to allow unto Robert ffenwick & Richard ffenwick some part of the Lands, according to her discretion, as by the Oath of the s^d Anderton uppon Record appeareth, Now soe it is th^t yo^r Pet^r in her distressed Condi^on, being desyrous to secure her selfe of the s^d Estate humbly prays, That this hon^{bte} Court will according to Equity Consider of the s^d Nuncupatiue Will, & decree th^t the s^d Lands, may by the s^d Will passe unto her, to be disposed of, according to the directions therein conteyned, as well as the goods & Chattles w^{ch} by the s^d Will are undoubtedly uested in her And yo^r Pet^r shall pray &c:

Whereuppon the Court in Equity, Considered the strict imprisonm^t, wherein the s^d Will^m Eltonhead was deteyned before his death, & att the time of his making the s^d Will & the impossibility of obteyning pen, inke or paper to make a formall Will, as in Law is requyred for the passing of Lands by Testam^t by reason of the strieght & unlawfull imprisonm^t of the Testato^e And decree That the s^d Jane Eltonhead shall possesse the s^d Land, in as full, free, & large Estate as if the s^d Will^m had conceaued his Will in writing, And declare that all the heyres att Law of the s^d Will^m, are for euer barred all Claime to the s^d Lands, as heyres to the s^d Will^m.

p. 136 Calu^t County. Command Jane Eltonhead of Caluert County, That shee hould plea to ffrancis Anketill of the s^d County, of a parcell of Land, commoly called Anketills neck, Bownded wth Two Creeks & the path, that leads from her the s^d Eltonheads howse unto

John Holfheads, now in the possesⁿ of ffrancis Anketill afores^d Con: Liber
one hund^d & Twenty acres more or lesse. P. C. R.

Josias ffendall.

And the ffinall Concord betweene the p^eties afores^d is, That the s^d Neck of Land, wth all Edifices, gardens, orchards &c: shall bee to him the s^d ffrancis Anketill, his heyres & Assignes for euer, under the yearly Rent of One Barrell of sownd Indian Corne to be payd, att the Natiuity of our Lord, Prouided th^t if att any time the s^d ffrancis or his heyres, shall att any time desyre to sell the s^d neck of Land in ffee, hee, or they, shall first make offer of the s^d neck of Land to the s^d Jane Eltonhead & her heyres

James Bowling aged 22 yeares or thereabouts Sayth, That M^r Anderton went twice himselfe to M^r Henry Hoopers' to desyre him to come & receaue & hogshead of Tob, & sent word att seuerall other times to receaue his Tob, & M^r Hooper neglected to come soe long th^t the shipping was ready to goe out of the Country, M^r Anderton tooke this Depon^t & Will^m Sinkler into the Tob howse, desyring us to looke uppon th^t hogshead & tell him, whither in Our Judgm^{ts} that Tob was merch^{bte} or not, And in Our Judgm^{ts} it was both sownd & merch^{bte}, And uppon th^t, the s^d Anderton tenderd it downe for the use of M^r Hooper & desyred M^r Sinkler & this Depon^t to wittnes the same, & further sayth not

Jurat Cora^m George Thompson.

These accōns (Viz)	} Respited till next Pro- uinciall Court.	Postpone- ments
John Anderton X Henry Hooper.		
Thomas Seymour X Stephen Gary		
Marks Pheypo X Will ^m Smoote		

Cap^t Will^m Stone demandeth of the Adm̄istrato^r or Exequutor of Will^m Stephenson deceased 346^t Tob & Cask. Stone v. Stevenson

Coth nathaniel Vtye demandeth out of the Estate of Cornelius Abrahamson afores^d As the Attorney of M^r Henry Meese 400^t Tob. Utie v. Abrahamson's Estate

Patrick fforrest Exequuto^r to M^{rs} Margaret Hatton demandeth of the s^d Abrahamson 155^t Tob, due for ffees. Hatton's Exec. v. Abrahamson's Estate

Jacob Lumbrozo demandeth of Cornelius Abrahamson deceased 400^t Tob (uppon Exequuōn) besides other ffees due to the Clerks & Sheriffs. Lumbrozo v. Abrahamson's Estate

James Bowling sworne in open Court Sayth, That he heard Edw: Hotkeys complaine th^t hee was wronged, concerning his seruice, & p. 137 Hottkeys v. Fendall

Liber
P. C. R. comming in hither & Michael Baysey told him That if hee thought hee could gett his fredome he had best goe to M^r Preston; & his Clerke would draw him a Petⁿ to that intent & purpose. And although the s^d Hottskeys was putt to him, to doe him seruice, yett hee would exspect noe seruice from him, till hee saw wither hee could obtaine his ffredome or noe.

John Anderton deposed allso Sayth, That hee heard the Boy complaine th^t hee was wrongd, And heard Michàèl Baysey tell the Boy, That if hee thought hee could obtaine his freedome, hee would not be his hinderance And (to the best of his knowledge) the s^d Baysey promised him to goe along wth him to M^r Preston's

M^r Henry Coursey allso sayth, That (being the Gou^{rs} Attorney) Edw: Hottskeys went out of the Custody of Michàèl Baysey, to the howse of M^{rs} ffenwick (as this depon^t heard) And being up the Riuer he heard th^t M^{rs} ffenwick & M^{rs} Eltonhead were goeing ouer to M^r Michàèl Brooks, wth whom was this Boy goeing ouer to complaine agst the Gouverno^e, This Depon^t writt a Lr^è, to lett M^r Brooks know the Gouverno^{es} tytle to the Boy in part, That hee should doe well to haue him whipt, & sent to this Depon^t, But hee thought not fitt soe to doe, And uppon his Complaynt, a Warr^t issued out, & this Depon^t arrested as Cap^t ffendalls Attorney to answere the s^d Hotskeys suite, The Depon^t pleading the Act of the Boys dowbling his time as a Runaway, And the Court att th^t time refused him, Saying, That hee had liberty to complaine wth out being tearmed a Runaway (or words to th^t purpose)

Penalty on
Officers
refusing
commissions Vppon motion of his L^{ps} Attorney, whatt ffine shall passe uppon those who refuse to accept of their Commis^{ns}, & serue their Country? It is Judged & Ordered that they pay each of them seuerally soe refusing one Thowsand pownds of Tob, And the account of the same to be gyuen to the Sheriffe to be gathered together wth the Country Leauiers.

And the Gouverno^e appoynted the next Prouinciall Court to be holden on Twesday the 14th day of Decemb^r next

Re Elton-
head's
Estate
Vid. fol. 135

The deposⁿ of John Anderton

This Depon^t aged 36 yeares or thereabouts sworne & examined, Sayth, That about the 28th of March in the yeare 1655, att Seauerne M^r Will^m Eltonhead called to him this Depon^t, & desyred him to take notice, th^t what he then sayd, as to the disposing of his Estate, Was & should stand for his Last will, Hee being a Prisoner, & not hauing the Benefitt of paper & inke: w^{ch} caused him to declare by word of mouth, to w^{ch} this Depon^t was a Wittnes as ffolloweth. Imp^e. That hee left his Land & p^esonall Estate to his Wife, att her disposing & further did desyre his s^d Wife

This
Deposⁿ was
taken by
Charles
Calvert Esqr
9th Aprill,
1664 & Ac-
cond. Lib.
1664 & not
found on the
Records
befor th^t
yeare
Wm Bretton

Jane Chambers aged 17 yeares or thereabouts Sayth, That the second day of May, Elizabeth Potter & this Depon^t goeing to Goodman Smiths howse there was a fidler, And th^t when they were goeing home againe, This fidler sayd hee would goe to Cap^t Gwythers to fetch a warr^t, And he not knowing the way Goodman Smith desyred the s^d Elizabeth to shew him the path, as shee went along, W^{ch} shee did, & it being late, hee desyred to take up his habitaōn that night att her howse, w^{ch} shee consented unto, The next morning the s^d ffdler desyred Henry Potter to goe wth him to Martin Kirke to demand a Runaway, And the s^d Henry Potter sayd, If I should putt yo^u into the s^d Kerks hands, for a Runaway, it would bee a pretty ieast. Doe then sayd the ffdler, And the s^d Potter asked him if there would come any harme thereof, or noe, & the ffdler answered noe, saying th^t if Keirke should goe to pull him in, he should goe nigh to giue him a dash in the Teeth, w^{ch} the s^d Henry Potter desyred him not to doe, & further sayth not.

Liber
P. C. R.
Re Potter
p. 138

Jurat 7^o Octob. cora G. Thompson.

Rose Smith aged 59 yeares or thereabouts Sayth that Will^m Thomas sayd in her hearing, That hee was sorry th^t hee tooke the Oath agst Potter, ffor it would undoe him, & th^t M^r Caluert should say, hee would banish the s^d Potter out of the Country, The s^d Thomas asked M^r Caluert what hee would doe wth Potters Children, & M^r Caluert should reply, They would doe aswell wth him as wth their Parents, & further Sayth not.

Jurat Eod die Cora G Thompson

John Bisco aged 49 yeares or thereabouts Sayth, That Will^m Thomas did desyre Henry Potter to putt him into the Cunstables hands for a Runaway, & th^t the s^d Potter did desyre him to declare, whither he thought it would be the occasion of any trouble, yea or noe, & that the s^d Thomas sayd noe, & further Sayth not.

Jurat Eod die Cora G Thompson.

Will^m Orsberston aged 33 yeares or thereabouts Sayth, That about 16 yeares agoe this Depon^t heard M^r Leonard Caluert force 300 Acres of Land uppon Thomas Orley & Isaack Edwards: of w^{ch} they would haue had but 50: but because they were seated in the cheifest place, & he threatning them to turne them of tooke the whole 300 Acres. This their agreem^t was about Christmasse, & they were to pay six barrells of Corne, & Twelue Capons yearely, & M^r Caluert bownded them from the head of Langfords Creek to the head of the Creek ioyning to the Plantaōn, & this Depon^t was a Seru^t att th^t time to Tho: Orley, & the s^d Orley sould him to Tho: Allen & halfe the Land, & M^r Caluert comming downe, Tho: Butler tould the s^d M^r Caluert That hee had but little good Land in his

Re Orley

Liber Deudent, & desyred M^r Caluert to preuaile wth Tho: Allen to lett
 P. C. R. him haue a peice of Land w^{ch} lyeth before Nicholas Keytins doore
 betweene the head of Langfords Creek & a Gutt, right agst Keytins
 doore. And Tho: Allen att M^r Caluerts request graunted therto, &
 further sayth not

Jurat Eod die Cora G. Thompson

Oct. 9 Whereas there was a warr^t issued agst Cuthbert Phelps, att the
 P. 139 suite of James Gaylourd for 1500^t Tob. & the writt being Returned
 Gaylourd v. Phelps non est inuentus, & it appearing th^t the s^d Phelps is resident att p^{nt}
 in the County of Kent.

Warr^t inde to the Sheriffe of Kent County to arrest &c: Ret next
 Prouinciall Court to be holden att S^t Leonards in the County of
 Caluert 14th day of Decemb^r next.

Commis- Writt to warne ffrancis Anketill, John Ashcomb, Henry Hooper
 sioners for George Peake, Sampson Waring, Hugh Stanley Gentⁿ, to take the
 Calvert Co. oath of Commis^{rs}, for Caluert County.

Oct. 25 Samuel Palmer enters his mark for hoggs & Cattle (Viz) swal-
 Cattle Mark low forked on the Right eare, And Two notches on eyther side of the
 Left eare opposite one to another

Nov. 3 Nicholas Morris demandeth warr^t agst Gregory Murrell, in an
 Morris v. Murrell accōn of Debt of 3000^t Tob.

Warr^t to the Sheriffe of Kent County to arrest &c: Ret. next
 Prouinciall Court, to bee holden in Caluert County 14th of Decemb^r
 next, the first day of the Court.

Land v. I Philip Land of S^t Maries County, doe for my selfe, my heyres,
 Chandler or assignes, acquitt, release, & discharge Job Chandler of Portoback
 in the prouince of Maryland aboues^d, of & from all debts, dues &
 demands, of him, his heyres & assignes, from the beginning of the
 world, to this p^{nt} day, as wittnes my hand this 12th Octob^r 1658.

Wittnes Tho: Maris.

Philip Land.

Assignment Know all men by these p^{nts} th^t I Martin Keirk of the prouince
 of Maryland Plant^r, doe for seuerall Causes me thereunto mouing
 make ouer & conuey all my Estate both personall & reall, unto my
 louing Wife Mary Keirk, as wittnes my hand this 10th of June 1657.

[Witnesses]

Martin M K Keirk

Will^m Coursey

Edward X West.

Mark Cattle John Mac Cart recordeth his mark (Viz) Cropd both eares, wth a
 hole, in or under both the Crops.

John Towng Recordeth his mark (Viz) The Right eare slitt ouer
& under (in manner of a flower de Luce) The Left eare Cropt, wth
a hole in the Crop. Liber
P. C. R.
mrk. Cattle

Agnes Norman recordeth her mark (Viz) The left eare swallow
forked, The Right eare Cropd, W^{ch} was the mark of her father John
Norman. p. 140
mrk. Cattle

Martin Kirk complayneth agst Capt Nicholas Gwyther, in an
action of trespass, ffor th^t the s^d Gwyther killed the Complayn^{ts} Cow,
about 2 yeares since, not hauing allowed or gyuen him satisfaction
therefore. Novembr 8th
Kirk v.
Gwyther

By the Leiuten^t of Maryland

Proclamaōn

Nouembr 12th Whereas I had appoynted to hold a Prouinciall
Court, uppon Twesday the 14th of Decemb^r next, In order to w^{ch},
Writts & processe may haue issued, The holding of th^t Court att th^t
time being likely to proue inconuenient, These are to giue notice that
I haue adiorned the s^d Court till the nineteenth of January next, And
th^t all writts, & processe issued for th^t Court intended to bee held, on
the 14th of Decemb^r shall bee Returnable on the s^d 19th of January.
Gyuen under my hand this 12th day of Nouembr 1658.

Josias ffendall.

Postpone-
ment of
Court
Session

John Little demandeth warr^t agst Aaron Jacobson, in an accōn of
Case. Novembr
17th
Little v.
Jacobson

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret next
Prou. Court to bee holden 19th Jan: next.

Aaron Jacobson demandeth warr^t agst John Little Accōn sup.
Case. Jacobson v.
Little

Warr^t to the Sheriffe of Caluert County to arrest & Ret. next
Prouinciall Court, ut suprà.

John Grammer demandeth warr^t agst Will^m Bramwall, in an
accōn of Case. Grammer v.
Bramwall

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret next
Prouinciall Court ut suprà.

John Grammer demands warr^t agst Will^m Bramwall in an accōn
of Slaunder. Grammer v.
Bramwall

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret next
Prouinciall Court ut suprà.

Sub pen. to the Sheriffe to warne Richard Smith & Giles Sadler
to testify (500^t Tob each) in dittâ caâ.

- Liber*
P. C. R.
Chandler v. Cornelius Job Chandler Esq^r demandeth warr^t agst John Cornelius, in an accōn of Case.
Warr^t to the Sheriffe of Calu^et &c: Ret ut suprà.
- p. 141
Hampstead v. Overzee Sub pœn. Edward Good (500^t Tob) to testify in a Cause depending betwixt Will^m Hampstead & M^r Symon Ouerzee (p Hampstead).
- Stanley v. Pott Sub pœna Will^m Howes (500^t Tob) to testify inter M^r Hugh Stanley & John Pott (p Stanley).
- Allen v. Fenwick Will^m Allen (p^r Attornat Thomas Mathews) demandeth warr^t agst M^{rs} Jane ffenwick in an accōn of Debt of 340^t Tob.
Warr^t to the Sheriffe of Caluert County to arrest &c: Ret. next Prouinciall Court ut Suprà.
- Lumbrozo v. Brooks Jacob Lumbrozo demandeth warr^t agst M^r Michàèl Brooks in an accōn of Debt.
Writt to the Sheriffe Calu^et &c: Ret ut Suprà.
- Lumbrozo v. Chaplin Jacob Lumbrozo demandeth warr^t agst Will^m Chaplin Accōn Case.
warr^t to the Sheriffe Calu^et &c: Ret. ut suprà.
- Mackey v. Osborne Robert Mackey demandeth warr^t agst Henry Osborne, Accōn Case. Warr^t to the Sheriffe of Caluert County to arrest &c: Ret 2^d day of the next Prouinciall Court.
Subpen. Thomas Robinson (500^t Tob) to testify in dittâ caâ.
- Read v. Evans George Reade demandeth warr^t agst Will^m Euans, Accōn of Case.
Warr^t to the Sheriffe of Caluert County to arrest &c: Ret 2d day of the Court ut suprà.
Subpœn. James Veitch, & John Knap to testify in dittâ Caâ (500^t Tob each)
- Brooks, Adminis. v. Veitch M^r Michàèl Brooke admīstrato^r of the Estate of Cap^t John Smith deceased demandeth warr^t agst James Veitch.
Warr^t to Sheriffe Calu^et &c: Ret 2^d day ut Suprà.
- Prator v. Kennedy Jonathan Prator demandeth warr^t agst Cornelius Kennede, Accōn Case
Warr^t to the Sheriffe Calu^et &c: Ret 2^d day ut suprà.
Subpœn: John Morison, & Daudid Tod to testify in dittâ Causâ, (500^t Tob) each.

Nathaniel Vtye (p^r Attornat, Rich: Collett) demandeth warr^t agst Peter Sharpe in an accōn of Case.

Liber
P. C. R.
Utye v.
Sharpe

Warr^t to the Sheriffe Caluert &c: Ret 2^d day ut suprà.

Sub pen. Will^m Yorke, & Samuel Keister (500^t Tob each) to testify in dittâ caâ.

Henry Parnell (p^r Attornat Edward Packer) demandeth warr^t agst John Cornelius, & John Weynold, in an accōn of Deb^t.

Parnell v.
Cornelius &
Weynold

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret.

Writt of Scire facias to the Sheriffe of Anarundell County agst Walter Smith, att the suite of Will^m Bretton, for 318^t Tob. & Cask for Clerks ffees, Ret next Prouinciall Court &c:

p. 142
Bretton v.
Smith
Vid. fol. 206

Raph Crouch demandeth warr^t agst M^{rs} Jane ffenwick in an accōn of Case, to the value of 2000^l Tob. Concerning a horse.

Crouch v.
Fenwick

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret next Prouinciall Court, 2^d day ut suprà.

Sub poen. M^r Thomas Stone, Barnably Jackson, Richard Stone, M^r Tho: Mathews, M^{rs} Hester Mathews, Thomas Hawker & Bryant & Tho: Courtney to testify in ditt caâ, 500^t Tob each Ret. ut suprà.

Writt Sub poen. to the Sheriffe of S^t Maries County to warne M^r John Metcalfe to declare & testify, concerning the Rent of M^r Neales Plantaōn & the Order for the Extent deliuered unto him, att M^r Rob^t Coles request, 500^t Tob. Ret next Prouinciall Court ut Suprà.

Re Cole

Mary the Wife of Daniel Clocker recordeth the mark of her sonne Thomas Courtney (Viz) Slitt wth two slitts in both eares alike, & the undermost tip of both eares cutt of, And all the femal Cattle soe marked belong to the s^d Thomas Courtney, Being the Encrease of a Cow, w^{ch} the s^d Mary recouered of ffrancis Gray, in leiw of a Cow of hers killed in time of the plunder by the s^d Gray, & att the killing thereof assumed to be payd for by him, W^{ch} Cow soe killed as afores^d was gyuen afore by the s^d Mary, to her Sonne Thomas Courtney during her Widowhood: Shee being then the Relict of James Courtney Deceased.

Nouembr
22th
Cattle Mark

Vincent Attkison recordeth his marke (Viz) Cropd' on the Right eare & slitt in the Crop, The Left eare swallow tayld, or forked.

Decembr 10
mark Cattle

Will^m Kennede recordeth his mark (Viz) Cropd on the Right eare & slitt on the Left eare.

mark Cattle

Liber
P. C. R. 1658
Dec. 1 Att a Prouinciall Court held att S^t Clements Manno^e on Wednesday p^o Decembris 1658.

P^ent

Josias ffendall Esq ^r Gou ^e .	} Co ^{tt} John Price Assist ^t Thomas Cornwalleys Esq ^r
Philip Caluert Esq ^r S ^{ec} r.	
Thomas Gerard	

Attorney General v. Naughnongis
Was called before the Board Naughnongis charged wth the felonious taking away of One shirt, fowle but neuer washed halfe a Matchcoate, a new payre of Irish stockins, & breaking the Locke of Edmund Phillpotts doare.

Naughnongis pleads not guilty.

The evidence being Examined, & fownd not pregnant agst the Prisoner. Proclama^on was made That the Prisoner att the Barre stood uppon his Justifica^on. And th^t any one that could give evidence should come and giue evidence for the L^d Proprietary.

None appearing. It was considered by the Board That notwithstanding the evidence was not pregnant. Yett his owne confession evidenced to the Board That hee was Gwilty of the fact, Therefore Ordered that the s^d naughnongis be sold, And that out of the price the Country & Edmund Phillpott be satisfyed: The one for their Charge, The other for the goods Stolne, And th^t the Indian be secured in the Sheriffs Custody.

Cornwalleys v. Chandler and Overzee
The p^{tf} preferd' in, his Bill of Complaynt in Chancery (Viz).
To the hon^ble Cap^t Josias ffendall Leiut Gen^{tt} of Maryland & Chancelo^e there, wth the Councell of State.

The humble Complaynt in Chancery of Thomas Cornwalleys of the Crosse in Maryland, agst Job Chandler & Symon Ouerzee of the same prouince Gentⁿ. Sheweth

That whereas Co^{tt} ffrancis Yardley of Virginia came into this Prouince & tooke up a great Tract of Land att Portoback, whereon he seated diuers Negro's to plant: Pretending shortley after to transport himselfe & family into this prouince, Vppon the credit of w^{ch} Estate yo^r Pet^r dealt wth him, & one Nathaniel Batt for Two Indian Slaues for a valuable considera^on in hand payd, to be deliuered to yo^r Pet^r in Aprill or May 1654, under the penalty of 5000^t weight of Tob: as by the Obliga^on under the hands & Seales of the s^d parties doth & may appeare. In exspecta^on of whose performance yo^r Pet^r sent att the day appoynted a Boate & Three men as far as James Riuer to receiue the s^d Indians, to his dammage of att least 1000^t of Tob, But receiued none, nor since any satisfaction for the debt or dammage. Now soe it is That shortley after yo^r Pet^r hauing occasion to goe for England, Left order wth his Attorney for Attatch-

ing the Estate of the s^d Yardley in this prouince, he being not here, Liber
P. C. R. for satisfaction of the s^d Debt & Dammage, W^{ch} Attatchm^t was graunted by Cap^t Will^m Stone then Gouverno^e of this prouince, But before it was serued the Sheriffe by the instigaōn & procurem^t of Job Chandler, then One of the Councell & of neare relaōn to the s^d Yardley, was expresly Ordered not to take the s^d Estate into his Custody, as hee was authorized by the Attatchm^t, But to depose it, att the howse of the s^d Job Chandler w^{ch} hee accordingly did. After w^{ch} immediately succeeded the change of Gouverm^t, by the unhappy defeate of the s^d Cap^t Stone, & his Company att Annarundell, During w^{ch} my Attorney fearing the exsportaōn of the s^d negro's, w^{ch} was then all the uisible Estate of the s^d Yardley wth in this prouince, who was then allso Deceased in Virginia, Tooke out a new Attatchm^t from th^t power: w^{ch} was allso Exequuted by the Sheriffe, but not taken into his possesⁿ, as it ought, But by the perswasion & procurem^t of the s^d Job Chandler againe deposited wth him, uppon an p. 144 Obligaōn from him & One Goulding to be responsable for the s^d Negros, untill yo^r Pet^e were satisfyed or further proceedings att Law determined the business, wth w^{ch} Obligaōn the Sheriffe acquainted my Attorney, telling him he might proceed att his leisure, for the Estate was secured in M^r Chandlers hands till further proceedings att Law determined it. Who thereuppon lett it rest, expecting my returne into this prouince, or that the Gouverment should againe reuert to itts lawfull authority. Before w^{ch} hapned, the Widow of the s^d Yardley & mother in Law to the s^d Chandler & Ouerzee, hearing of my arryuall in Verginia, where I had occasion to stay some time before I came into this prouince, hyres or borrows a Sloope & men of the s^d Ouerzee to export the s^d Estate out of this prouince, Who knowing the s^d Estate to be attatched, & bayled & indebted to yo^r Pet^r as afores^d, wthout any lawfull clearing or appearance in the suite, notwthstanding was ayding & assisting to the exsportaōn of the s^d Estate out of this prouince, iust att the arryuall of yo^r Pet^r, before hee had any notice of it, whereby to haue hindred the same, W^{ch} otherwise had remayned untill yo^r Pet^r could haue taken some course for his redresse: Of w^{ch} hee is now alltogether destitute, unlesse he bee releiued in Equity, as hee humbly conceaues hee ought agst the s^d Chandler & Ouerzee. The One hauing protected the s^d Estate contrary to the Legall Course of Attatchm^{ts}, & after deliuered it up, & permitted it to bee exported, notwthstanding his Obligaōn in the hands of the Sheriffe, to the Contrary as afores^d. And the other for being knowingly ayding & assisting by his Sloope & man to the exsportaōn of the same, & uictualling them att his owne howse, when they were goeing out of the prouince. As allso in Consideraōn that the s^d Partyes are since enriched, by the s^d Estate, & haue receiued part thereof, in kind back into this prouince by gswift from the Widdow of the s^d Yarley, W^{ch}

Liber
P. C. R. yo^r Pet^r humbly conceaues in Equity still liable to the Attatchm^t, granted by Cap^t Stone, all Justice being impeded from th^t time, untill yo^r Pet^r proceeded agst Job Chandler for the s^d Estate, In tender Consideraōn of all w^{ch} premises yo^r Pet^r humbly prayeth That the s^d parties may according to the usuall Cours in Chancery putt in their answere uppon Oath, & declare why the s^d Estate was soe protected as afores^d, & after wth out any notice gyuen to your Pet^r, or his Attorney, or any Legall proceeding for recalling of the obligaōn past as afores^d for securing the s^d Estate, Deliuered up & p^emitted to be exported. And uppon what tearmes, or security the same was done & permitted. As allso who hyred or borrowed the s^d Sloope for the exportaōn, And if hyred whither by the month or the Voyage, And what men were in her to sayle her, how called, & how & by whom payed & uictualed. What was the hyre of the Sloope, where & by whom payd, & in what Comodity? By w^{ch} yo^r Pet^e doubts not but yo^u will find sufficient cause to relieue him, And th^t untill this suite be determind, the Sheriffe may be Ordered to take into his possesⁿ the negroes, th^t were formerly part of the Estate attatched, now in the possesⁿ of the s^d Chandler & Ouerzee: or they Ordered to be responsable for them when the s^d suite is ended.

And yo^e Pet^e shall pray &c:

Thomas Cornwalleys.

Ordered That the defendants putt in their answere uppon oath, att the next Prouinciall Court.

Barton v.
Gerard Command Thomas Gerrard Esq^r & Susan his Wife to hould plea, to William Barton; of Barton Hall Mariner in an accōn of Couen^t to him the s^d Will^m Bartin of Three hund^d Acres of Land, one dwelling howse One Orchard, Two Tobaccho howses Lying or being in the Manno^e of St Clem^{ts} in the County of St Maries, according to a Couen^t or Deed of Bargaine & Sale from the s^d Thomas Gerard, to the s^d Will^m Barton Bearing date the Twentieth day of Septemb^r Año Dñi 1658, and is as followeth.

Josias ffendall.

This Indenture made the Twentieth day of Septemb^r in the yeare of Our Lord God One Thowsand six hund^d fifty & Eight, Betweene Thomas Gerard of St Clem^{ts} manno^r Esq^r of the one part, And Will^m Barton of Barton Hall Mariner of the other part, Wittnesseth That the sayd Thomas Gerard hath for a ualuable Consideraōn Bargayned & sold, And by these p^ents doth bargaine & sell unto the s^d Will^m Barton One neck & parcell of Land Bownded wth a marked white Oake, Standing from the head of the back Creek of Canow neck One hund^d & Sixteene perches running East to the head of the s^d Creek of Canow neck by the neck East Sowth East into St Clem^{ts} Bay for the length of One hund^d & Twenty perches or thereabouts And on the East wth the s^d Bay of St Clem^{ts} for the length of One hund^d &

threescore perches or thereabouts to the mouth of a Creek called Bartins Creek On the north of a marke Gumme standing neare the path of a Swamp side for the length of One hund^d perches or thereabouts & from the Gumme running West one hund^d and sixteene perches to a marked White Oake On the West wth a lyne Sowth Sowth west from the one marked white Oake One hund^d & thirty perches to the other marked white Oake on the Sowth Conteyning by Estimaōn Three hund^d Acres Bee it more or lesse, Lying & being in the prouince of Maryland wth free ingresse egresse & regresse for hoggs & Cattle And likewise the liberty of hunting hawking fishing & fowling As allsoe to fall trees & carry away timber for building uppon the s^d neck. (The Islands & wild hoggs excepted) But in case the Will^m Barton his heyres or Assignes doe kill or take alieue any wild hoggs uppon the s^d mannor to one halfe soe killed or taken alieue to restore to the Lord of the manno^e To haue & to hold the s^d Three hund Acres of Land wth all perquisitts profitts & hereditam^{ts} (except before excepted) unto him the s^d Will^m Barton his heyres & assignes, from the day of the date hereof for euer. Yeilding & paying therefore yearly & euery yeare unto the s^d Thomas Gerard his heyres or assignes Three barrells of good sownd Indian Corne, or thirty shillings sterling or three hund^d pownds of good sownd merchantable Tobaccho & Two fatt Capons or henns, att the ffeast of the Natiuity of our Blessed Sauour, or forty dayes before or after att the manno^r howse of St Clements afores^d. And there to appeare uppon summons to doe homage & Seruice att all Court Leets & Court Barons that may or shall bee holden uppon the s^d mannor according to the usuall Custome of England or the Law of this prouince, Prouided th^t the s^d Will^m Barton his heyres or assignes shall not lett sett or sell the premises or any part thereof to more or any more Seates then one for the settlem^t of any more families then one there wth out the consent of the s^d Thomas Gerard his heyres or assignes. And the s^d Thomas Gerard shall warrant & defend the premises from all Claymes & tytles to be made by himselfe his heyres exequuto^{rs} Admistrato^{rs} or assignes In wittnes whereof the parties first aboue named to these p^{ent} Indentures interchangeably haue sett their hands & Seales Dated the day & yeare first aboue written

Sealed & deliuered in

the p^{ence} of

Edward Packer

Tho: Williamson

Thomas Gerard

Se + ale

And the fynall agreem^t betweene the s^d parties is, That the s^d 300 Acres of Land mentioned in this s^d Deed, wth one dwelling howse, One Orchard & Two Tobaccho howses scituate & being in St Clem^{ts} manno^e in the County of St Maries afores^d be conueyed to the s^d Will^m Barton & to enioy the same to him his heyres & assignes for euer.

Liber
P. C. R.
Attorney
General v.
Overzee

Mr Symon Ouerzee made his appearance, And the Gou^e ap-
poynted the s^d Mr Ouerzee to appeare againe to morrow morning
The Court adiornd by the Gou^e till ten o'Clock to morrow
morning

Thursday 2^o Decembris

P^ent as Yesterday.

Dec. 2
Attorney
General v.
Overzee

Mr Will^m Barton informes the Court agst Mr Symon Ouerzee, for
that the s^d Ouerzee correcting his negro seruant the s^d negro dyed
under his s^d Correction

The Examina^on of Hannah Littleworth aged 27 yeares or there-
abouts taken the 27th of Nouemb^r 1658, before Philip Caluert Esq^r.

p. 147 This Examⁱn^t sayth That somtime (as shee conceiues) in Sep-
temb^r was two yeares, Mr Ouerzee commanded a negro (commonly
called Tony) formerly chayned up for some misdeameno^{rs} by the
command of m^{rs} Ouerzee (m^r Ouerzee himselfe being then abroad)
to be lett loose, & ordered him to goe to worke, But instead of goeing
to worke the s^d negro layd himselfe downe & would not stirre,
Whereuppon m^r Ouerzee beate him wth some Peare Tree wands or
twiggs to the bignes of a mans finger att the biggest end, w^{ch} hee
held in his hand, And uppon the stubbernes of the negro caused his
Dublett to bee taken of, and whipld' him uppon his bare back, And the
negro still remayned in his stubbernes & feyned himselfe in fitts, as
hee used att former times to doe, Whereuppon Mr Ouerzee com-
manded this Exam^t to heate a fyre shouel, & bring him some Lard,
which shee did, And sayth that the s^d fyre shouel was hott enough to
melt the Lard, but not soe hott as to blister any one, & th^t it did not
blister the negro, on whom Mr Ouerzee powrd' it. Immediately
thereuppon the negro rose up, & Mr Ouerzee commanded him to be
tyed to a Ladder standing on the foreside of the dwelling howse, w^{ch}
was accordingly done by an Indian Slaue, who tyed him by the
wrists, wth a peice of a dryed hide, And (as shee remembers but
cannot iustly say) That hee did stand uppon the grownd. And still
the negro remayned mute or stubborne, & made noe signes of con-
forming himselfe to his Masters will or command. And about a
quarter of an howre after, or lesse, Mr Ouerzee & M^{rs} Ouerzee went
from home, & doth not know of any Order Mr Ouerzee gaue con-
cerning the s^d negro. And th^t while Mr Ouerzee beate the negro &
powred the Lard on him, there was nobody by, saue only Mr Mathew
Stone, & M^{rs} Ouerzee now deceased. And th^t from the time of Mr
Ouerzees & his Wifes goeing from home, till the negro was dead,
there was nobody about the howse but only the s^d Mr Mathew
Stone, Will^m Hewes, & this Exam^t, & a negro woman in the quarter-
ing howse, who neuer stird' out. And th^t after Mr Ouerzee was gone,
uppon the rela^on of Mr Mathew Stone, in the presence of Will^m
Hewes th^t the negro was dying, this Examⁱn^t desyred Mr Mathew

Stone to cutt the negro downe, & hee refused to doe it, Will^m Hewes al^lso bidding him lett him alone & wth in lesse then halfe a howre after the negro dyed, the wind comming up att northwest soone after hee was soe tyed up, And hee was tyed up betweene three & fowre o'Clock in the afternoone, & dyed about six or seauen, & was kept till next morning before he was buried.

Vppon the reading this Examinaōn (Hannah Littleworth being present in Court) When shee came to that p^ticular Concerning the tying of the negro up by the wrists (Viz) Whither hee stood uppon the grownd Yea or Noe? Shee declareth That now shee uery well remembers That hee stood uppon the grownd.

Will^m Hewes sworne in open Court Sayth That hee was p^t, att the time when M^r Ouerzee beate his negro, wth the Twiggs, And th^t hee saw him beate the negro, & saw him al^lso powre Lard uppon him, & that as hee conceaues & remembers, he saw noe blood drawne of the negro, And this Deponent being willing to help the negro from the grownd, M^r Ouerzee hauing his knife in his hand, cutting the twiggs, threatned him to runne his knife in him (or words to that effect) if he molested him, And that the negro (as he thinks, but cannot iustly say) stood uppon the grownd, And sayth further That the negro did commonly use to runne away, & absent himselfe from his M^r Ouerzees seruice.

The Gouverno^r requests the Councell, then p^t, to declare their Opinions, whither it was in the power of the Court to iudge this busines now, Yea or noe? M^r Ouerzee humbly requesting the Court to end it, & th^t he may be acquitted, And uppon consideraōn th^t M^r Mathew Stone was al^lso p^t as is declared whose Examinaōn is not yett taken, may euidence some things materiall in the busines, It is agreed by the Board, And Ordered th^t M^r Ouerzee putt in Bond of One hund^d Thowsand pownds of Tob, to the L^d Proprietary for his appearance att the next Prouinciall Court, & there to attend the finall determinaōn of the same.

It is Ordered by the Board that Henry Moore haue the Indian Naughnongis (he paying for him One Thowsand pownds of Tob) to him the s^d Henry Moore his heyres & assignes for euer, W^{ch} Tobaccho is to goe to the defraying the charge, & paying Edmund Phillpott, as is mentioned in the former yesterdays order, (Viz)

To Edmund Phillpott	172 ^t Tob.
To Humphrey Attwicks for dyett for himselfe }	320
& the Indian }	
ffor himselfe att seuerall times employed }	480
24 dayes in the Countries Seruice }	
To M ^r Bretton Clerke for his ffees	028

1000

Liber
P. C. R.

p. 148

Attorney
General v.
Naugh-
nongis

Liber
P. C. R.
mark Cattle

Came John Shanke & reassigneth his marke of Cattle &c: (Viz) Cropd both eares, wth two slitts in eyther Crop, vnto M^{rs} Susan Gerard engageth neuer more to challenge this marke, eyther in the behalfe of himselfe, or in the behalfe of his Child.

And the Gouverno^e dissolued the Court.

Decemb^r 20
P. 149
Calvert v.
Mee
The said
Philip
Calvert
acknowl-
edged full
satisfaccō
of this
Judgm^t this
21th of feb-
ruary 1660
Peter Bathe

M^r William Bretton I doe hereby acknowledge to owe unto Philip Caluert Esq^r Three Thowsand pownds of Tob. & Cask wth out grownd leaues or Seconds to be payd to him the s^d Philip Caluert his heyres, Exequuto^{rs} admīstrato^{rs} or assignes the Tenth day of Octob^r next, And hereby allso I doe authorize you to enter a Judgm^t therefore uppon the Prouinciall Court Records. Witness my hand this second day of September 1658.

Signum

Acknowledged before me Edd Lloyd.

George G. M. Mee.

W^{ch} Lrē, Acknowledgem^t & Judgm^t thereuppon is accordingly entred die 2^o Supradict Decemb^r 1658 p^r me

Will^m Bretton.

21 feb: 1660
The said
Philip
Calvert
acknowl-
edged full
satisfaction
of this
Judgm^t
Peter Bathe

M^r William Bretton I doe hereby acknowledge to owe unto Philip Caluert Esq^r One Thowsand six hund^d ninety seauen pownds of Tob & Cask wth out Seconds or Grownd leaues to bee payd to him the s^d Philip Caluert, his heyres Exequuto^{rs} Admīstrato^{rs} or assignes att or uppon the Tenth day of Octob^r, w^{ch} shall bee, in the yeare 1659, And hereby allso I doe authorize you to enter a Judgm^t therefore uppon the Records of the Prouinciall Court, Wittnes my hand this second day of Septemb^r 1658

Signum

Acknowledged before me Edd Lloyd

George G. M. Mee.

W^{ch} Acknowledgm^t & Judgm^t thereuppon is allso entred by me 2^o Decembris Supradict, 1658

Will^m Bretton.

Assignment

Whereas Will^m Assiter & Thomas Diniard standeth bownd for mee unto Will^m Euans for the paym^t of Three Thowsand pownds of Tob & Cask, And that the fores^d Assiter & Diniard may bee the better secured from the s^d Debt I Rob^t Thomas doe by these p^{ents} bind & make ouer unto the fores^d Will^m Assiter & Thomas Diniard all my whole Estate in generall, That is to say Eight head of Cattle, hoggs, & Tobaccho that is now my Estate att p^{ent}, & whatsoeu^e shall be mine hereafter, Vntill the s^d Tobacho be payd, & the fores^d Assiter & Diniard discharged. Then the fores^d Estate to returne to mee & not before. As wittnes my hand the 13th day of Nouemb^r Año 1658

Signed & Deliuered in p^{ence} of
Will^m Euans
Peter Achillis.

The R T. m̄rk of
Robert Thomas

Will^m Hampsted demandeth writt agst M^r Symon Ouerzee accōn Liber
Case, Summons to the Sheriffe of S^t Maries County to warne &c: P. C. R.
Ret. next Prouinciall Court to be holden att S^t Mary 3^d day of the Hampstead
Court. v. Overzee

Supcen. Thomas Kemp, & Adam Dutchman to testify in dit. caā
uppon the forfeiture of 500^t Tob each.

Cap^t Thomas Cornwalleys demandeth warr^t agst Cloues Mace in Decembr
an accōn of Debt to the ualew of 1500^t Tob. 18th

War^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next P. 150
Prouinciall Court to be held att S^t Maries 19 January next, 3^d day. Cornwalleys
v. Mace

Cap^t William Stone demandeth war^t agst Martin Kirke, & Edward Stone v.
Claxston Accōn Sup^e Case. Kirk

War^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next
Prouinciall Court ut suprā 3^d day.

Cap^t Thomas Cornwalleys demandeth war^t agst Michàèl Cranley, Cornwalleys
& his Wife the Relict of Thomas Gregory deceased & Michàèl v. Cranley
Baysey to giue account of the Estate of the s^d Thomas Gregory. et al.

War^t to the Sheriffe of S^t Maries & Caluert County to arrest &c:
Ret. next Prouinciall Court ubi suprā.

Cap^t Thomas Cornwalleys demandeth war^t agst ffrancis Brooks, Cornwalleys
& James Lindsey to giue acc^t of the Estate of Will^m Nugent De- v. Brooks
ceased. et al.

Writt to the Sheriffe of S^t Maries & Charles Counties to warne &c:
Ret. next Prouinciall Court ubi suprā.

Cap^t Thomas Cornwalleys demands war^t agst Edmund Philpott Cornwalleys
Accōn sup^e Case. v. Philpott

War^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next
Prouinciall Court ubi suprā.

Cap^t Thomas Cornwalleys demandeth war^t agst Will^m Styles in Cornwalleys
an accōn of Debt of 1217^t Tob. v. Stiles

War^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next
Prouinciall Court ut suprā.

Summons to the Sheriffe of S^t Maries County to warne M^r Symon Cornwalleys
Ouerzee to answeere the Bill of Complaynt in Chancery of Cap^t v. Overzee
Thomas Cornwalleys Ret. ubi suprā.

Subpcen to the Sheriffe of S^t Maries County to warne Rob^t Cornish Re Cole
to bee att the next Prouinciall Court, to testify Concerning a Cow
Killed att Hebdens Poynt att the howse of Rich: Abrahall uppon the

Liber forfeiture of 500^t Tob. Ret. next Prouinciall Court ut Suprà, att
P. C. R. Rob^t Coles request.

Taylor v. Subpœn to the Sheriffe of S^t Maries County to warne Peter
Jordan Achillis to bee att the next Prouinciall Court to testify in a Cause
depending betwixt Robert Taylor & Thomas Jorden merch^t uppon
500^t Tob forfeiture, Ret. next Prouinciall Court ubi Suprà, att Rob^t
Taylo^{rs} request

Willan v. M^r Richard Willan demands war^t agst Rob^t Kedger & George
Kedger Taylor in an accõn of Case.

War^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next
Prouinciall Court ut suprà.

Summons to the Sheriffe dit County to warne Vincent Atchison;
fforker ffrizell, ffrancis ffisher, Auis Joanes, Rob^t Cornish, John
Harwood & Owen James to testify in ditt caâ, vppon 500^t Tob
forfeiture each, Ret. ut suprà att M^r Willans request

p. 151 Summons to the Sheriffe of S^t Maries to warne ffrancis ffisher &
Edward Chicken to testify in ditta Caâ, uppon 500^t Tob forfeiture
Ret. next Prou: Court ut Suprà att Kedgers request.

Crouch v. Summons to the Sheriffe of S^t Maries to warne Thomas Griffin to
Fenwick be att the next Prouinciall Court to testify in a Cause depending
betwixt Raph Crouch & M^{rs} Jane ffenwick concerning a horse uppon
500^t Tob. forfeiture Ret. ut suprà att M^{rs} ffen. request

January 30 M^{rs} Jane ffenwick demands war^t agst Walter Hall in Accõn of
Fenwick v. Debt War^t to the Sheriffe of S^t Maries County to arrest &c: Ret.
Hall next Prouinciall Court to be held att S^t Maries 19th Jan: next.

Summons for Walter Pakes to testify in ditta caâ.

Tilghman v. Cap^t Samuel Tilghman demands warr^t agst Rob^t Kedger Accõn
Kedger Case. War^t to the Sheriffe of S^t Maries County to arrest &c: Ret.
next Prouinciall Court ut suprà.

Kedger v. Rob^t Kedger demands War^t agst Cap^t Samuel Tilghmanⁿ, Accõn
Tilghman Case.

War^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next
Prouinciall Court ut suprà.

Harper v. Will^m Harper complaines agst M^r Rob^t Clearke in an accõn Case.
Clarke Summons to M^r Rob^t Cleark to answere to the s^d Compt

Summons to the Sheriffe of S^t Maries & Charles Countyes to
warne John Shirtcliffe, Walter Hall & M^r Henry Adams to testify
in ditt caâ, uppon 500^t Tob forfeiture, Ret. ut Suprà.

Richard Collett complayneth agst Mr Robert Clearke in an accōn of Debt of 656^l principall Debt by Bill; besides Court charges.
Summons to Mr Rob^t Cleark to answere to the s^d complaynt.

Liber
P. C. R.
Collett v.
Clarke

John Harwood demands writt agst Will^m Edwin for 300^l Tob. wth 200^l Tob. more for charges, besides Costs of suite, according to an Order of Court held att Patux^t 17th ffeb. 1657, had agst the s^d Edwin.

Harwood v.
Edwin

Writt of Scire ffacias to the Sheriffe of S^t Marys County, Ret ut Sup^e.

Attatchm^t issued agst the Estate of Cap^t Will^m Mitchell for 2000^l Tob att the request & demand of Cap^t Thomas Cornwalleyes in an accōn of Debt to that ualew, Ret. this Prouinciall Court.

23th Octobr
1658
Cornwalleyes
v. Mitchell's
Estate

Speciall war^t from the Gou^r to the Sheriffe of S^t Maries County to arrest John Shanks & Charles Maynard att the suite of Cap^t William Stone in an accōn of Debt, Ret. this Prouinciall Court ut Suprà.

27th Nouem-
br 1658
Stone v.
Shank &
Maynard

Anne Hammond demandeth attatchm^t agst the Estate of Jeruice Dodson alleaging the s^d Dodson is indebted to her 5 Cowes, & their encrease for these 4 yeares past

5^o Decembr
1658
Hammond
v. Dodson's
Estate

Attatchm^t to the Sheriffe of S^t Maries County to attatch &c: Ret. next Prouinciall Court ut suprà.

Cap^t Samuel Tilghman demands war^t agst Will^m Edwin in an accōn of Debt to the ualew of 1200^l Tob.

January 5^o
Tilghman v.
Edwin

War^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next Prouinciall Court to be held att S^t Marys 19th Jan. next.

p. 152

Nicholas White demandeth war^t agst Humphrey Howel, Accōn Case.

White v.
Howell

War^t to the Sheriffe S^t Maries County to arrest &c: Ret. ut supra.

Summons to the Sheriffe to warne John Coleman & ffrancis Mogge to testify in caâ supradict uppon 500^l Tob. fforfeiture, Ret. next Prouinciall Court ut suprà.

Cap^t Thomas Cornwalleyes demandeth warr^t agst Richard Sheppey, in an accōn of Debt of 1000^l Tob.

Cornwalleyes
v. Sheppey

War^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next Prouinciall Court ut suprà.

Cap^t Thomas Cornwalleyes demands war^t agst John Jarbo & Rob^t Cole.

Cornwalleyes
v. Jarbo &
Cole

War^t to the Sheriffe of S^t Maries to warne the s^d Jarbo & Cole to bee att the next Prouinciall Court to answere to the Complaint of the s^d Cornwalleyes in Chancery agst them, Ret. ut suprà.

Liber
P. C. R.
Cornwalleys
v. Cole Cap^t Thomas Cornwalleys demands war^t agst Daud ffereira in
an accōn of Case.
War^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next
Prouinciall Court to be held ut Suprà.

Summons to the Sheriffe of S^t Maries County to warne John
Macky to testify in ditt caâ, uppon 500^t Tob forfeiture Ret. ut suprà.

Kedger v.
Hall Thomas Kedger demandeth warr^t agst Walter Hall in an accōn
of Debt to the ualue of 1200^t Tob.
Writt to the Sheriffe of S^t Maries County to arrest &c: Ret next
Prouinciall Court to be held ut suprà.

Keytin v.
Kirk Nicholas Keytin demands war^t agst Martin Kirk in an accōn of
Defamaōn
Writt to the Sheriffe of S^t Maries County to arrest &c: Ret. next
Prouinciall Court ut suprà.
Summons Henry Potter, Edward Claxston Cap^t Nicholas Gwyther
& his Wife to testify in ditt Caâ. sub 500^t Tob each, Ret. ut Suprà.

Stone v.
Symonds Cap^t Will^m Stone demands war^t agst Tho: Symonds accōn Case.
Writt to the Sheriffe of S^t Maries County to arrest &c: Ret next
Prou: Court ut Suprà.

Wilkinson v.
Brooks Wilkinson Will^m Cler. Enters Caueat agst the Adm̃istrato^e of
ffrancis Brooks Estate for 250^t Tob. by Bill.

January 15th
P. 153
Cornwalleys
v. Spriggs Cap^t Thomas Cornwalleys demandeth writt agst Thomas Sprigge
in Accōn Debt.
Writt to the Sheriffe of Caluert County to arrest &c: Ret next
Prou: Court att S^t Maries 23 ffeb. next.

Cornwalleys
v. Burdeck Cap^t Thomas Cornwalleys demandeth war^t agst Thomas Bur-
deck in an accōn of Debt
Writt to the Sheriffe of S^t Maries to arrest &c: Ret. next Prouin-
ciall Court att S^t Maries holden ut suprà.

Juaary 17th
Utie's
Power of
Attorney Know all men by these p^ents th^t I Nathaniel Vtie doe giue Mr
Rich: Collett, as full power as my selfe hath to receaue all Debts,
Dues & demands belonging to mee in Patux^t and Maryland, Witt-
nes my hand this 28th of Octob^r 1657

In presence of
George Vtie
George Gouldsmith.

Nath Vtie

Know all men by these p^{nts} th^t I Thomas Gerard of S^t Clements Manno^r Esq^r doe remise release acquitt exonerate & discharge M^r Raph Crouch Executor to Lawrence Starkey Deceased of & from all debts dues & demands whatsoeu^e, w^{ch} was any ways formerly due from the Estate of the affores^d M^r Starkey unto me Thomas Gerard, & I doe likewise acquitt & discharge the aboues^d M^r Crouch on the behalfe of the afores^d M^r Starkey or any Estate formerly belonging to him from the beginning of the world to this present.

Signed in the p^{nce} of

Tho: Gerard

James Langworth

Justinian Gerard

Liber
P. C. R.
Septembr 5th
1658
Re Starkey's
Estate

Will^m Edwin aged 46 yeares & upwards att the request of Rob^t Cole maketh oath, th^t fflowre yeares agoe M^r Beniamin Gill lay sick at this Depon^{ts} howse: & in time of his sickness there he declared to this Depon^t That if it pleased God to take him out of this life, Robert Cole who was his Kinsman should enjoy all th^t euer he had, Except his sonne or Daughter, or some of their Children should perchance come in hither into this Country

July 28th
1658
Re Gill's
Estate
Not in
Baldwin

William Edwin

Jurat Cora me Will^m Bretton

Mary the Wife of Will^m Edwin maketh Oath That M^r Beniamin Gill, lying sick att her howse, was uery desyrous to haue some body to write his Will, & there being nobody then there lyuing that could write, He requested this Depon^t to beare wittnes th^t hee gaue what hee had to his Kinsman Rob^t Cole; Except M^r Neale or his Wife, or any of their Children should come into this Prouince, & further sayd That hee had none here to enioy what hee had, but his Kinsman Robert Cole

p. 154

The mark of

Jurat Cora me Will^m Bretton

Mary }oo Edwin

May 16th 1656

Receiued by me Henry ffoxe of Maryland Twelue hund^d pownds of Tob & Cask of M^{rs} Mary Brooke, the Widow of Rob^t Brooke late of Maryland Deceased Esq^r, as full satisfaction unto all Judgm^{ts} & Bills of the s^d Robert Brooke Graunted eyther unto me or Philip Land, or both of us. And I doe further bind my selfe my heyres Executo^{es} & Adm^{istrato}^{es} to secure the s^d Mary Brooke, & the heyres of the s^d Rob^t Brooke from Claime of Philip Land or any other concerning the afores^d Judgm^{ts} or Bills. Wittnes my hand the day and yeare aboue written.

Re Brooke's
Estate

Signed & Deliu^{er}ed in the p^{ense} of

Henry |-F ffoxe.

James Lee E his marke

Baker Brooke

Charles Brooke.

Liber
P. C. R.
Mark Cattle Cap^t Thomas Brooke enters his marke (Viz) Both Eares Crop'd wth a hole in the Left eare, & Two slitts in the Right eare.

Abrams v.
Blinkhorne ffrances Abrams demands warr^t agst Rob^t Blinkhorne in an accōn of Case.

Writt to the Sheriffe of Caluert County to arrest &c: Ret. ut Suprà.

Thickpenney
v. Sprigg Henry Thickpenney demands warr^t agst M^r Thomas Sprigge in an accōn of Debt.

Writt to the Sheriffe of Caluert County, &c: Ret. ut suprà.

Thickpenney
v. White Henry Thickpenney demands warr^t agst Gwy White, Accōn of Debt. writt to the Sheriffe of Calu^et County to arrest &c: Ret ut Suprà.

Pheypo v.
Brook's
Adminr.
p. 155 Marks Pheypoe enters Caueat agst the Adm̃istrato^e of the Estate of ffrancis Brooks Deceased, for One yeareling Cow Calfe w^{ch} the sayd Brooks undertooke to satisfy or pay fowre yeares since

Lucas v.
Brook's
Adminr. Will^m Lucas enters Caueat agst the Adm̃istrato^e of the Estate of ffrancis Brooks Deceased for 636^t Tob & Cask

1658/9
January 20th
Clarke v.
Lewis's
Estate Robert Clearke Esq^r demands out of the Estate of Will^m Lewis Deceased fve hund^d pownds of Tob & Cask, It being due to him for his ffees of Suruey of 3000 Acres Layd out for the s^d Lewis in Nangemy Creek.

Cornwalleys
v. Chandler
and Overzee Sum̃ons to the Sheriffe of S^t Maries County to warne Thomas Kedger, & Thomas Haruey (uppon 500^t Tob each) to testify in a Cause depending inter Cap^t Tho: Cornwalleys & M^r Job Chandler & M^r Symon Ouerzee in Chancery, Ret.

1658/9
January 24th
Warrants
renewed Thomas Cornwalleys Esq^r demandeth th^t these war^{ts} be renewed
Viz
X Cloues Mace }
X Rich: Sheppy } war^t renewed Ret.
X Rob^t Cole }
X Will^m Styles }

Mitchell v.
Boreman Cap^t Will^m Stone (the Attorney of Cap^t Will^m Mitchel) demandeth war^t agst Will^m Boreman in an accōn of Debt

Writt to the Sheriffe of S^t Maries County to arrest &c: Ret next Prouinciall Court

Summons to M^r Job Chandelo^e to answe^re to the Bill in Chancery of Thomas Cornwalleyes Esq^r next Prou: Court.

Liber
P. C. R.
Cornwalleyes
v. Chandler

Barnaby Jackson X Cap^t Stone war^t renewed.

M^r Raph Crouch X M^{rs} ffenwick }
& all the summons } war^{ts} renewed.
Will^m Hampsted X M^r Oue^ezee }

Warrants
renewed

Hugh Beuin demandeth writt agst M^r Symon Ouerzee accōn Sup^e Case.

Bevin v.
Overzee

writt to the Sheriffe of S^t Maries County, Ret.

Will^m Hewes Complayneth agst M^r Rob^t Cleark &c: accōn Debt. Summons to the Sheriffe of Charles County, Ret.

Hewes v.
Clark

Speciall warr^t to the Sheriffe of S^t Maries County to warne Vincent Attchison to appeare p^esonally att the next Prouinciall Court, to answe^re the Complaint of an Indian the s^d Vincent hauing abused him & robbed him of his Roanoke.

Indian v.
Atchison

M^{rs} Jane Eltonhead demandeth writt of Scire facias agst the Estate of Edmond Scarborough in the hands & possⁿ of M^r Rob^t Taylor & James Veitch.

Eltonhead v.
Scar-
borough's
Estate

Writt &c: to the Sheriffe of Caluert County to warne the s^d M^r Rob^t Taylor & James Veitch to shew Cause put in writt.

Will^m Hewes complayneth agst Capt Will^m Stone, & requesteth Summons in an accōn of the Case. Summons to the Sheriffe of Charles County &c: Ret. next Pro: Court

1658/9
ffbruary
12th
Hewes v.
Stone
p. 156

Rob^t Kedger demandeth to haue his war^t renewed agst Cap^t Samuel Tilgmaⁿ in an accōn of Case, of 1800^t Tob. War^t renewed & Ret. next Prov: Court.

Kedger v.
Tilghman

27^o Decemb^r 1651

Receaued the day & yeare aboue written of Anthony Rawlings Tenne shillings in money sterling, & as for soe much Rent due to his L^p for this p^ent yeare 1651 from him the s^d Anthony for his fower hund^d Acres of Land on the north side of Patux^t Riuer & for his Plantaōn uppon Trinity Creek where he now liueth being One hund^d Acres of Land I say receaued by mee

1658/9
ffbruary
21th
Re Rawlins

Tho: Hatton Attorn Graf^l.

Receaued of Michàel Baisey his L^{ps} Rent for 400 Acres of Land, on the north side of Patux^t Riuer taken up by Anthony Rawlins there, & is for Two yeares ending att Christmas next, I say receaued the

Liber s^d Two yeares Rent. Wittnes my hand this 20th day of Decemb^r
P. C. R. 1653, by mee

Tho: Hatton Attorn grahl

June 2^d 1657

Receaued of Michàèl Baisey one barrell of Corne for Rent, Re-
ceaued p^r mee Josias ffendall

1658 Nov. 10 Att a County Court held att S^t Leonards on the Tenth day of
Nouemb^r 1658.

Henry Coursey Esq ^r .		Henry Hooper	} Gent ⁿ .
Thomas Sprigge	} Gent ⁿ .	Sampson Waring	
Rob ^t Taylor		George Peake	
ffrancis Anketill		Hugh Stanley	

Rob^t Taylor The p^{tf} sueth the dēft touching some accompts betweene them &
v. James to haue the dēft come to an accompt wth him, W^{ch} the dēft denying
Veitch to doe, Craues an Appeale to the Prouinciall Court.

William The Compl^t sueth the s^d Ketherton & ffrench (Seruants to John
Bromell v. Grammer) for slaundring him; Alleaging th^t they had informed their
Mich: master that hee had Counsellèd them to murther their s^d master.
Ketherton nat: ffrench The dēfts appeare not in Court;

John Grammer denies the Allegaōn & appeales to the Prouinciall
Court. Vera Copia Ex Record Ex. p^r me Ed: Scott.

Fereira v. Daud ffereira demands warr^t agst Humphrey Warren in an
Warren accōn of Debt to the ualew of 16^s 2^d sterl.

Warr^t to the Sheriffe of S^t Maries County &c: Ret next Prov:
Court

Fendall v. Josias ffendall Esq^r Gou^r demandeth writt agst Michàèl Baysey
Baysey in an accōn of Case.
p. 157

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret. next
Prouinciall Court att S^t Maries 23th ffeb. next.

Cornwalleys Summons to the Sheriffe of Caluert County to warne Thomas
v. Michael Long & Philip Hide to testify in a Cause depending betweene Cap^t
Thomas Cornwalleys & Michàèl Ret next Pro: Court.

Woolman v. Richard Woolman demandeth writt agst Rob^t Harwood in an
Harwood accōn of Case.

Warr^t to the Sheriffe of Caluert County to arrest &c: Ret next
Prouinciall Court, ut Suprà.

Proclamation

By the Leutenant Generall.

Whereas I did intend to hould a Court att S^t Maries uppon the nineteenth of January last past, And yhereas the s^d Court by the unexpected Thawe could not then be held, W^{ch} may if not otherwise prouided for proue a preiudice unto the Country. These are therefore to giue notice to all p^esons Concerned That I doe intend to hould a Prouinciall Court att S^t Maries uppon the 23th day of ffebruary next ensuing the date hereof And th^t all writts Processe & Attatchm^{ts} determinable att that Court inended to be houlden, on the 19th of January last as afores^d are hereby reinforced, And to declare that all Causes then determinable shall att the Court to be houlden on the 23th day of ffebruary next wthout further processe or arreast receaue Determinaōn. Gyuen under my hand this 8th day of ffebruary 1658
Josias ffendall.

Liber
P. C. R.
1658/9
Feb. 8
Court
Summoned

(Vide 3, Md.
Arch. Coun.
359)

Cap^t Thomas Cornewalleys demandeth war^t agst John Webbe, in an accōn of Debt of 300^t Tob.

Cornwaleys
v. Webbe

War^t to the Sheriffe of Charles County to arrest &c: Ret next Prouinciall Court ut suprà.

M^r Symon Ouerzee demandeth war^t agst James Lindsey to giue in an acc^t of Symon Antonios Estate.

Overzee
v. Lindsey

Warr^t to the Sheriffe of Charles County Ret. ut suprà.

D^r Luke Barber demandeth warr^t agst John Neuill in an accōn of Debt.

Barber v.
Nevill

War^t to the Sheriffe of Charles County, Ret next Prouinciall Court ut suprà.

Rob^t Hudson (p^e Attornat Edmund Lindsey) demandeth war^t agst Thomas Baker in an accōn of Debt.

p. 158
Hudson v.
Baker

Writt to the Sheriffe of Charles County to arrest &c: Ret next Prouinciall Court, 23 ffeb. next.

Martin Cole demandeth warr^t agst Thomas Pryoe in an accōn of Case.

Cole v.
Pryor

Writt to the Sheriffe of S^t Maries County to arrest &c: Ret next Prouinciall Court ut suprà.

I under written doe acknowledge to haue receaued in the yeare 1657 of Michàel Basey Three barrells of Corne w^{ch} is for Rent for the use of the Lord Proprietary. I then being Receiuo^e Generall. Wittnes my hand this 23th of ffebruary 1658.

February
23th
Receipt for
rent

Henry Coursey.

Liber
P. C. R.
Deed of gift
of heifer

This day Came Hugh Beuin of S^t Hieroms in the County of S^t Maries, & acknowledgeth himselfe to haue gyuen, & doth hereby giue & deliuer to Nicholas Gwyth Gentⁿ for the use of Owen Gwyther his sonne One Black pyed Heifer, marked The Right eare underkeeld. The Left eare Cropd' wth Two slitts in the Crop, wth all the whole encrease both male & ffemale to him the s^d Owen Gwyther & his heyres, And is to aduance him a portion

Recogniz Coram me Will^m Bretton.

Hugh Beuin

Acquittance

Whereas Cap^t Nicholas Gwyther about 5 or 6 yeares agoe passed his Bill or Specialty to Christopher Russell for Two hund^d pownds of Tob & Cask, W^{ch} Bill was by the s^d Russell assigned ouer to Will^m Eale, & by him the s^d Eale assigned againe to Hugh Beuin W^{ch} Bill is accidentally lost. And lest perhaps it should againe appeare & be found, I the s^d Hugh Beuin doe hereby bind my selfe to acquitt, & doe hereby acquitt & discharge the fores^d Cap^t Nicholas Gwyther of & from the s^d Bill & Debt as afores^d of 200^t Tob. & Cask.

Hugh Beuin

Fereira v.
Warren

Dauid ffereira demands war^t agst Humphrey warren, in an accōn of Debt of 36^s 6^d money sterl.

War^t to the Sheriffe of S^t Maries County to arrest &c: Ret next Prouinciall Court.

m^rk Cattle

John Daus recordeth his mark of Cattle &c: (Viz) Cropd' on both eares, wth a hole in both eares.

ffebuary
23th 1658
Sheriff's
returns

Sheriffe of S^t Maries County Ret his writts (Viz)
All writts &c: Exequuted Except Summons pro John Shirtcliffe in caâ, W^m Harper X M^r Clearke.

Sheriffe of Charles County Ret. All executed

Sheriffe of Caluert County, Ret. All executed (Except) writt pro Aaron Jacobson X John Little writt pro John Little X Aaron Jacobson writt pro Jonathan Preston X Cornelius Kennede.

Sheriffe of Kent County Ret. all executed

Sheriffe of Annarundell County Ret. Executed.

p. 159
vide 3 Md.
Arch. 359

Att a Prouinciall Court held att S^t Maries on Wednesday this 23th ffebuary 1658.

P^ent

Josias ffendall Esq^r Gou^e } M^r Robert Clearke } D^r Luke Barber
Philip Caluert Esq^r Secr } M^r Baker Brooke }

Was called afore the Board Jacob Lumbrozo, & charged by his L^{ps} Attorney for uttering words of blesphemy agst Our Blessed Sauio^r Jesus Christ.

Liber
P. C. R.
Attorney
General v.
Lumbrozo

The Deposⁿ of John ffossett aged 44 yeares or thereabouts Sayth this 19th day of ffebruary 1658

That about halfe a yeare since, this Depon^t being att the howse of M^r Rich: Prestons, & there meeting wth Jacob Lumbrozo, Hee this Depon^t & the s^d Lumbrozo falling into discourse concerning Our B^d Sauio^r Christ his Resurrection, Telling the s^d Lumbrozo that hee was more then man, as did appeare by his Resurrection, To w^{ch} the s^d Lumbrozo answered, That his Disciples stole him away, Then this Depon^t replied, th^t noe man euer did such miracles as hee, To w^{ch} the s^d Lumbrozo answered, That such works might be done by Negromancy, or sorcery or words to th^t purpose, And this Depon^t replied to the s^d Lumbrozo, th^t hee supposed, th^t the s^d Lumbrozo tooke Christ to be a Negromancer. To w^{ch} the s^d Lumbrozo answered nothing but laughed & further this Depon^t Sayth not.

Jurat die & Año Supradict Cora^r me Henry Coursey.

I Richard Preston Jun^r doe testify th^t about June or July last past comming from Thomas Thomas, in company wth Josias Cole, & the Jew Docto^r, knowne by the name of Jacob Lumbrozo, the s^d Josias Cole asked the s^d Lumbrozo whether the Jewes did looke for a Messias? and the s^d Lumbrozo answered yes. Then the s^d Cole asked him, what hee was that was Crucifyed att Jerusalem? & the s^d Lumbrozo answered hee was a Man. Then the s^d Cole asked him how hee did doe all his miracles? and the s^d Lumbrozo answered hee did them by the Art Magick. Then the s^d Cole asked him, how his Disciples did doe the same miracles after hee was Crucifyed? And the s^d Lumbrozo answered hee taught them his Art, & further sayth not

This was declared before mee as in the p^esence of God that it is true this 21th ffebruary 1658

Henry Coursey

The s^d Lumbrozo sayth th^t hee had some talk wth those persons, & willed by them to declare his Opinion, & being by profession a Jew he answered to some perticular demands then urged, & as to that of miracles done by Art magick, he declared what remains written concerning Moses & the Magicians of Egipt: But sayd not any thing scoffingly or in derogaōn of him, Christians acknowledge for their Messias.

It is Ordered that the s^d Lumbrozo remaine in the Sheriffs Custody untill hee putt in security Body for Body to make answere to what shall be layd to his charge, Concerning those blasphemous words & speeches, att the next Prouinciall Court, & th^t the persons be there present to testify uiua voce in Court.

Liber
P. C. R. Mittimus to the Sheriffe of S^t Maries County according to the order supradict.

The Court uppon speciall urgent busines of the Councell adiorned till to morrow morning.

Thursday 24^o ffebruary

February 24 P^{ent}.

Josias ffendall Esq ^r Gou ^e	} Mr Robert Clearke	} D ^r Luke Barker		
Philip Caluert Esq ^r Secr			} Mr Job Chandler	} Mr Baker Brooke
Cap ^t Will ^m Stone				

Adams v.
Parnell &
Tilghman Know all men by these p^{ents} th^t I Henry Adams of the Prouince of Maryland doe constitute, ordaine, & appoynt my Louing ffreind Nicholas Gwyther of the same prouince my true & lawfull [At-
torney] to all intents & purposes, as if I my selfe were p^{ersonally} present, & I doe giue my s^d Attorney as full power as any Attorney hath, or ought to haue as wittnes my hand this 10th ffeb. 1658

Wittnes Leonard Greene

Henry Adams

Tho: + Pritchard

p. 161 The p^{lf} (p^e Attornat Nicholas Gwyther) euidenth to the Court, that Henry Parnell Deceased was indebted unto the p^{lf} nine hund^d ninety Two pownds of Tob, principall Debt & the s^d Parnell goeing out of the prouince, & not gyuing the p^{lf} satisfaction according to his ingagem^t, tooke out an attatchm^t agst the s^d Parnells Estate & therfore prouing his s^d Debt to bee iust, demands iudgm^t & satisfaction out of the Estate formerly attatched, according to the s^d Parnells Ingagem^t unto the p^{lf}, whereuppon Cap^t Samuel Tilghman came, & sayth th^t the Estate attatched, as belonging to Henry Parnell dēft, was not the dēfts Estate but did wholly apperteine & belong to him the s^d Cap^t Tilghman, & was surrendred unto him by the dēft himselfe halfe a yeare att least before the Attatchm^t was layd. It is therfore Ordered th^t the Attatchm^t be taken of till it bee made appeare th^t the Tob formerly attatched is the dēfts owne reall Estate or not.

Attorney
General v.
Overzee Warr^t to the Sheriffe to impanell of a Jury of Twelue men
Sheriffe returnes his writt & warned
fforeman

Mr Henry Coursey	Mr George Reade	Clem ^t Tybalds
Mr Rich: Willan	Mr Roger Isham	Nich: Yowng
Mr Edw: Parkes	Edmund Lindsey	Tho: Belcher
Mr Hugh Stanley	James Lee	John Cornelius.

Was Called afore the Board Symon Ouerzee, His L^{ps} Attorney informing the Court how th^t the s^d Ouerzee Correcting his Negro seruant, the s^d Negro dyed under his Correction & prefers this inditem^t

Lett it be enquired for the L^d Proprietary, whither Symon Ouerzee late of S^t Johns in the County of S^t Maries merchant, On the Twentieth day of September Año 1656, att S^t Johns in the County afores^d by force & armes, That is to say, wth Peare-Tree Twiggs of noe ualue, an assault did make uppon a certaine man called Toney a Negro, & his the s^d Ouerzees slaue, Beating the s^d Slaue, wth the s^d Peare-Tree Twiggs, & powring melted Lard uppon him, And whither afterwards the s^d Symon Ouerzee the Body of the s^d Toney, tyed by the wrists to a Ladder, did hang up from the Grownd exposed to the iniuries of the weather, Of w^{ch} stripes, melting Lard & hanging up by the wrists &c: the s^d Toney wth in three howres dyed. And soe the s^d Symon Ouerzee the s^d Toney in manner & forme afores^d did feloniously by chance Kill, Contrary to the peace of his Lordship, his rule & gouernm^t.

Liber
P. C. R.
Attorney
General v.
Overzee

Job Chandler his testimony, concerning a Negro called Antonio belonging to his Brother Symon Ouerzee.

That his Brother Ouerzee brought the s^d Negro Antonio about March in the yeare 1656 up to his Plantaõn in Portoback Creek, & there left him wth his Ouerseer Clement Theobalds to worke wth his other seruants But after his Brother Ouerzee was gone downe, the Ouerseer made many Complaynts to mee, th^t hee could not make him doe any thing, noe not soe much as beate his owne Victualls, I aduised him to use all fayre meanes, to try if that way might work good uppon him, if not to giue him blowes: But whither hee did correct him att any time I doe not know, But the s^d negro runne away, & they complayned to mee that hee lay lurking about the Plantaõn, & tooke his opportunity when they were in the feild att worke, or when they were att the Cow pen milking, then would he p. 162 gett into the howse & into the loft, & steale soe much bread & meate as he thought good & begone. After hee had run this course about three weeks or a month, one of my mayd seruants fownd him in an inward roome in my quartering howse Eating hominy out of a Pott, & came running in to acquaint mee wth it: But he perceiuing th^t he was discouered, sought to make an Escape, & was gott amongst high weeds creeping on his hand & knees But the dogs finding him out, I brought him into my howse, & fownd one of his hands extreame sore, & th^t one of his fingers was mortified, th^t it must be cutt of to saue his hand & arme from a Gangreene. I examined him how it came, but could not wth all the words & signes I could imagine understand from him how it came, ffor of all humane Creatures th^t euer I saw, I neuer knew such a Brute: for I could not perceiue any speech or language hee had, only an ugly yelling Brute beast like. I drest his hand wth the best meanes I had, And gaue him Victualls to eate, w^{ch} hee eate as Rauenous as an hungry starued Dog, & after hee had eaten good part of what I gaue him hee made signes th^t hee would begone, But I made signes to him to sitt downe againe. Att length

Liber
P. C. R. hee gott to the doore, wth an intent to be running; but I tooke a Dog-whip & gaue him one lash wth it, after w^{ch} hee came in & sate downe, & did not make more profers to be gone. But fearing hee might make an escape I sent for a Roape, & tyed one end to the barre of a window & the other end close up under his armes wth the knott behind, soe sure & fast, th^t I did not thinke wth both my hands I could sodenly undoe it, & left one of my mayd seruants to looke after him hauing sent for my Brothers Ouerseer to fetch him home, for I was uery unwilling hee should gett away againe, fearing least hee might take some fitt opportunity to doe mee, or mine, a mischeife, for I lookd uppon [him] as a dangerous Rogue, But my mayd not well looking after him, hee wth the hand hee could use (or the Diuell for him) undid the knott, & hee gott away, w^{ch} did seeme uery strange to mee, hauing but one hand to doe it; for the other hee could not stirre one finger of it. Some time after, a Pangayò Indian came to my Brother Ouersee's Ouerseer & told him th^t the Negro was there, & uppon his informaõn hee went & fetcht him, & brought him to my howse, asking my aduice what he should doe wth him. I tould him it would bee best to carry him downe to S^t Maries, th^t his finger might bee cutt of, or else hee might loose his arme, or his life, & lent him my wherry to carry him downe aduising the Ouerseer, if hee putt to any shoare, to bind him least hee made an escape.

p. 163 After some time spent, The Jury returned their Verdict Endorsed on the writt, Ignoramus.

The Euidences being fownd not pregnant agst the Prisoner Proclamaõn was made by the Sheriffe That the Prisoner att the Barre stood uppon his Justificaõn, & that any one th^t could giue further Euidence, should come & giue euidence for the Lord Proprietary. And noe one appearing, The Prisoner acquitted by Proclamaõn.

Corne-
walleys v. Mr. Vppon the Complaynt of the p^{tf} in Chancery order the last Court
Chandler Mr Job Chandler alleageth that hee himselfe hath not as yett had a
and Overzee [sight] of the p^{tf}s Bill, although his Brother Ouerzee hath allready putt in his answere thereto.

It is therefore Ordered th^t the s^d M^r Chandler have a Copie of the s^d Bill deliuered him, & th^t hee putt in his answere therto in writing, before the end of this Court.

Mr. Vnto the demand of the p^{tf} on the behalfe of the L^d Proprietary
Attorney for a man Seruant belonging to the Estate of John Dandy, called
Gräll v. Darby.
Rich:

Hotchkeys The Dēft sayth th^t hee had that Seruant deliuered him, & there-
Vid. fol. 244 uppon sold him, hee being the Assignee of John Milam, who had an
Order of Court agst John Dandy, whose seruant the s^d Darby was.
And it appearing to the Court th^t that Order uppon w^{ch} the dēft
pretends tytle to the s^d seruant was but for seauen hund^d & fifty

pounds of Tob only, & was grownded upon some words th^t John Dandy should utter concerning the iustifying any of his family in any thing layd to their charge: whereas the dammage susteyned by the s^d Milam was charged upon ffrancis the now Wife of George Beckwith, to the ualue of seauen hund^d & fifty pownds of Tob as afores^d, who was then under the tuition of the s^d Dandy, hee being her Guardian & possessed likewise wth her Estate.

Liber
P. C. R.

It is Ordered th^t this cause be Respited till the next Prouinciall Court & th^t ffrancis the Wife of George Beckwith be then p^{nt} in Court allso, To shew cause why shee should not be lyable to satisfy that Order of Court: it being graunted agst the s^d Dandy by occasion of her misdemeano^r & carriage.

Was Called afore the Board John & Mary Williams & (by M^r Attorney Grafl) charged wth the feloniously taking & carrying away out of the howse of M^r Symon Ouerzee diuers goods, belonging to the sayd Ouerzee to the ualew of fifty pownd sterl. Together allso was called Mary the Wife of Daniel Clocker & charged as being Accessary afore, & after to the ffelony of the s^d John, & Mary Williams, & allso Thomas Courtney as Accessary after the fact of John & Mary Williams as afores^d Mary the Wife of Daniel Clocker appearing, saued her Bayle, Tho: Courtney likewise appearing saued his Bayle.

Attorney
General v.
Williams
et al.

p. 164

The Sheriffe for Juro^{rs} warned the fformer Jury to attend Viz:
fforeman

M ^r Henry Coursey	M ^r George Reade	Clem ^t Tybalds
M ^r Rich: Willan	M ^r Roger Isham	Will ^m Yowng
M ^r Edw: Parkes	Edm: Lindsey	Tho: Belcher
M ^r Hugh Stanly	James Lee	John Cornelius

Mary Clocker excepts agst Edmund Lindsey & requesteth that M^r Metcalfe may declare what hee hath heard.

John Metcalfe Gentⁿ sworne in open Court Sayth, That being one day att Daniel Clockers, soone after the arryuall of the Jew, Mary Clocker told this Depon^t that there was a yowng man w^{ch} lyued about Portoback, & came to M^r Ouerzees howse along wth M^r Chandler, w^{ch} tooke (as shee did suppose) a pockett full of Linnen & emptying his pocketts came againe & filled them wth linnen & againe went out & hid itt.

M^r George Mee substituted in roome of Edm: Londsey And M^r Symon Ouerzee being bownd in Recogniz of 1000^t Tob. to the L^d Prop^r to prosecute att this Prouinciall Court the fores^d ffelons (all of them) Prefers this Bill of Inditem^t.

Inditem^t. Lett it be enqyred for the Lord Prop^e whither John Williams & Mary his wife, late of S^t Johns in the County of S^t Maries, on the ninth day of Octob^r last past, att the howse of Symon

Liber
P. C. R. Ouerzee att St John's in the County of St Maries afores^d wth force & armes the Chests & trunks of the s^d Symon Ouerzee did open, & fise Cakes of Castile soape one payre of Childrens shooes| one Card of galoon Lace| Two small peices of galoon Lace| a yard & a halfe of yellow Ribbon| one payre of white gloues| about halfe a yard of fine holland| a paper of spyce| a parcell of Syluer & gould Lace| a bottome of white thread| some white thread & say together| a Card of small siluer Buttons| a Card of greene Coate-Buttons| a Remnant of galoon Lace| a bottome of Black Thread| a parcell of white Thread| a small parcell of starch| a Greene Saueguard| a payre of blew stock-ins| a payre of Bodyes| a paper of pepper| one silk-Lace| Two peices of small Ribboning| a remnant of yellow & red stuffe| a payre of Twyzers| a small Remnant of Red Saye| a fine holland Apron| a yard of Canuase| a yard of Diaper| a remnant of blew Calico| a goard of sugar| one payre of Irish stockings| one pound of whited
p. 165 browne thread one pound of colowred thread| one thowsand of pinns| a peice of Tape| a parcell of galoon Lace| a grosse of small buttons| a small remnant of Course holland| one pownd white thread| a small neck-cloath| a Scallop dressing| one forehead Cloath| one fflaunders Lacd' dressing| one scollop handkercher| one buttont' handkercher| Three fflaunders Lacd' quoyfes| one fflaunder Lacd' quoyfe wth Bandstrings| One fflaunders Lacd' pinner| one fflaunders Lacd' gorghett| one Cambrick gorghett| another fflaunders Lacd' gorghett Two fine Holland Aprons| Two pockett handkerchers wth great buttons| one bastard fflaunders Lacd' Holland smock| one fflaunders Lacd' Holland smock to the ualew of fifty pownds sterl, did ffeloniously take & carry away agst the peace of his s^d L^p, his rule & Gouvernm^t

Mary Clocker. And likewise whither Mary Clocker the Wife of Daniel Clocker of St Andrews in the County of St Maries afores^d be not accessary afore the ffact by abetting & counselling the s^d John and Mary Williams therto, & allso after the ffact by receauing from the s^d John & Mary Williams one scollop handkercher| one buttont' handkercher| Three fflaunders Lacd' quoyfes| one fflaunders Lacd' quoyfe wth bandstrings| one fflaunders Lacd' pinner| one fflaunders Lacd' gorghett| one Cambrick gorghett| another fflaunders Lacd' gorghett| Two fine holland Aprons| Two pockett handkerchers wth great Buttons| one Bastard fflaunders Lacd' holland smok| one fflaunders Lacd' holland smock| To the ualue of ffifty pownds sterl. agst the peace of his s^d L^p his rule & gouernm^t.

Tho: Courtney. And lastly whither Thomas Courtney, the sonne of Mary Clocker of St Andrews in the County of St Maries afores^d after the ffact or theft committed did ffeloniously receaue from John & Mary Williams Three pecks of Salt & the same carry away to St Andrews afores^d to the ualue of ffowre pence, agst the peace of his s^d L^p his rule & Gouverm^t.

The Examinaõn of John Williams apprehended uppon suspition of ffelony taken before Philip Caluert Esq^r & Richard Willan gentⁿ Liber
P. C. R.
Two of his L^{ps} Justices of the Peace for the County of S^t Maries this first day of Nouemb^r 1658 This Exam^d confesseth that hee knew his Wife Mary Williams had taken some things of M^r Symon Ouerzees, but th^t hee neuer knew what p^rticular things they were, And th^t hee bid her haue a care th^t shee medled not wth any thing of the s^d Ouerzees, for hee would come to know of it. That Andrew Warners Wife did bring him some things in a Pillow-beere to the Church as from his owne Wife Mary Williams, from whence she desyred him the s^d Williams to carry them to her husbands howse att S^t Hieroms; w^{ch} hee did, & th^t he did thinke that there were some goods in th^t pillow beere, th^t were none of his owne, & did belong to M^r Ouerzee, but the p^rticulars he knew not. That for those things w^{ch} were deliuered to M^r Ouerzee (by his Wife) att M^r Ouerzees owne howse hee neuer knew th^t his wife had any such p. 166
in her possesⁿ. That the reason why hee did not discouer his Wifes theft to M^r Ouerzee was because hee thought M^r Ouerzee would not haue missed them. That Two little Children the One called William Smith, the other Sara Hayes did find a Bagge or Blew-streaked Pillow beere in a hollow Tree, w^{ch} he this Exam^d had hid there, & after carryed to Andrew Warners uppon the Childrens discouery of the bagge, That this bagge was deliuered to him by his Wife, & th^t hee did beleieue th^t his Wife had stolne them from M^r Ouerzee, but th^t w^{ch} way shee had gotten them from M^r Ouerzee hee neuer did know. That his Wife told him th^t Mary Clocker had carryed some things home of M^r Ouerzees w^{ch} hee did beleieue were stolne allso. And th^t hee & his Wife went to Mary Clockers afterward, & th^t then Mary Clocker opened a Bundle of Linnen w^{ch} they then shared betweene them, but th^t they remoued nothing fro^m. Mary Clockers howse att th^t time. That goeing againe to Mary Clockers shee complayned of want of salt, & th^t shee promised this Exam^d two or three cheeses to gett her a little salt. Whereuppon this Exam^d promised to lett her haue some of M^{rs} Ouerzees Salt: & the s^d Clocker sayd shee would send her husband for it, because shee durst not trust her sonne Thomas Courtney. Yett notwthstanding she did send her sonne Thomas Courtney, to whom Mary this Exam^{es} Wife did deliuer about halfe a Bushell of Salt, lapd in a peice of a Greene Blankett, w^{ch} salt was M^{rs} Ouerzees, That shee deliuered this salt to Courtney iust about shutting in of Day light; & hee this Exam^d helped the s^d Courtney to tye it up. That the Dore hath noe Latch, but only a Lock, & th^t unlesse it bee locked it will fly open

Philip Caluert Richard Willan

The Examinaõn of Mary the Wife of John Williams taken before,
ut supra.

Liber
P. C. R. This Exam^d being demanded how shee came by M^r Ouerzees goods, first deliuered a Paper signed by her selfe & wittnessed by Philip Land, Contayning her Confession hereunto annexed. And then further confessed That shee desyred M^r Chandler to lett her haue the keyes to fetch some spice uppon that Sunday morning uppon w^{ch} M^{rs} Ouerzee was carryed to Church to be buried. That M^r Chandler being in Bed in the loft, Mary Clocker called this Exam^d up (shee being in bed) to goe fetch the Bunch of Keyes from M^r Chandler uppon pretence to take spice, that they might open M^{rs} Ouerzees Trunks, w^{ch} shee accordingly did. That Mary Clocker lay in the roome, & that shee shutt the spring lock on them both, when they had the keyes of the Trunk. That shee this Exam^d did open the upper part of the Greate Dutch Trunk that stood in the
p. 167 Roome (Viz that Roome where M^{rs} Ouerzee in her life time lay) & that out of th^t upper part of the Trunk Mary Clocker grasped a bundle of Linnen bigger then fowre or fiae shiffts could possibly make but what they were as to quantity or quality shee then knew not. Shutting downe the Trunk immediately & goeing out immediately telling the s^d Clocker M^r Chandler was comming. That the s^d Clocker called her back againe alleaging M^r Chandler was not coming, to w^{ch} shee this Exam^d assented, & putting the doore to shee then opened the Vnder Drawers of the s^d Dutch Trunk w^{ch} were full of small linnen, out of w^{ch} the s^d Clocker tooke & tumbled out what shee pleased into her Apron, but what they were shee knew not then nor afterwards, but by the Relaōn of Mary Clocker, when shee came to see the child of M^r Ouerzee then att nurse wth the s^d Clocker. Att what time shee brought out some things & shared them wth this Exam^d, But whither they were all that shee tooke out of the Trunk shee knoweth not, but beleiueth th^t they were not all, by the bignes of the Bundle shee tooke out of the upper part of the Trunk afores^d, That uppon the ffriday after M^{rs} Ouerzee was buried M^r Chandler deliuering some Keyes to this Exam^d to lay up a peice of Cloth, shee by the helpe of those Keyes opened a Trunk in an upper Roome where M^r Chandler lay, & tooke those things out, w^{ch} were after hid in the Tree by her husband, & after fownd by the Children, & after th^t conueyed by her s^d husband to Andrew Warners. That for those goods carryed in a Bagge by Warners Wife to the Church & from thence by John Williams to Andrew Warners shee this Exam^d tooke them out of M^{rs} Ouerzees Closett, w^{ch} euery Body ordinarily went into, for meate & other necessaries of houshold. That there stood another Trunk in the Chamber where Mary Clocker law, in w^{ch} was all the sheetes & Chilbed Linnen M^{rs} Ouerzee had intended for her Lying in: & all the Childs Linnen th^t uppon the ffriday night after the Buriall of M^{rs} Ouerzee this Exam^d casually left the Keyes in this Trunk all the Linnen being in the Trunk att that time when shee forgott the Key in itt. That Mary Clockers Daughter Mary Lay wth her mother th^t night. That this Exam^d lay there allso but went

out earely in the morning to Chorne. That when shee had Chorned shee came into the Chamber againe, att what time shee the s^d Clocker gaue the Childs fowle Linnen to this Exam^d who opening the Trunk to lay up the s^d fowle Linnen, missed some of the Linnen, that was there the night before by the Bulk. But did not then Examine the p^rticulars. A little while after this Exam^d enquiryed for the s^d Clockers Daughter, who replyed shee was gone home wth hers the s^d Clockers fowle Linnen. That on the Saturday night before shee the s^d Clocker went to her owne howse wth the Child, this Exam^d tooke her the s^d Clocker powring of powder out of a Bottle in M^{rs} Ouerzees Closett, & uppon the Sunday morning tooke her rowling a peice of Pould auies about her under her Cloathes next to her smock, w^{ch} shee the s^d Clocker carryed away wth her. That this Exam^d tould Clocker th^t these things could not be used here but they would be knowne, & th^t Clocker answered Hang him (as shee conceaues M^r Ouerzee) rather then euer hee shall haue them, I will burne them, & further sayd shee would bury them in a Case in the Grownd. That the Salt was deliuered to Courtney by her hauing the Key of the Dairy in her Ordinary Keeping

Philip Caluert
Richard Willan.

Liber
P. C. R.

p. 168

Mary Williams the Wife of John Williams desyres to declare her mind in writing this first of Nouemb^r 1658.

Sayth th^t the goods th^t Mary Clocker carryed away of M^r Ouersees was taken wth the s^d Mary Clocker. Shee often urging Mary Williams to deliuer them to her. And th^t Mary Williams could not be in quiett for fowre or fiue dayes for her: but was still urging her to itt Saying hang him, If we doe not doe it wee shall neuer haue any thing for our paynes. & I Mary Williams made answere how can I doe it? I haue not the Keyes. And Mary Clocker replyed you are to make a pudding goe fetch the Keyes of M^r Chandler to take Spices, and then you may doe itt, & th^t there had nothing bene medled wth but by Mary Clockers often urging & p^esuation

Teste This Paper was deliuered by Mary 3 Williams
Philip Land. Mary Williams to Vs
Philip Caluert Rich: Willan

The further Examinaō of Mary Williams taken uppon the Second day of Nouemb^r by Philip Caluert Esq^r & Rich: Willan Gentⁿ Two of his L^{ps} Justices &c:

This Exam^d Sayth th^t as to a new Blankett th^t is missing shee knoweth not what is become of itt, But th^t shee often heard Mary Clocker wish shee had such a Blankett, Saying there were enough about the howse, & doth uerily beleieue shee hath it. Being demanded whither shee knew an Apron of holland taken att Mary Clockers, shee sayth th^t shee doth know the Apron hauing bownd it wth tape

Liber
P. C. R. for M^{rs} Ouerzee & uery well remembers th^t shee mended the slitt th^t is in the side of the Apron neare the Toppe presently after M^{rs} Ouerzee came from Portoback And allso a holland Bed for a Child taken att the same place, shee sayth th^t shee uerily beleiueth it was M^{rs} Ouerzees because shee misseth one of that number

Philip Caluert Richard Willan

p. 169 The Examinaõn of Mary Clocker apprehended uppon Suspition of ffelony taken the second day of Nouember 1658 before Philip Caluert Esq^r & Richard Willan Gentⁿ Two of his L^{ps} Justices of the Peace for the County of S^t Maries

This Exam^d denyeth th^t euer shee tooke any thing of M^{rs} Ouerzees but confesseth th^t shee had diuers things by the deliury of Mary Williams to keepe for her the s^d Williams, & th^t the s^d Williams did deliuer the things to her this Exam^d in M^{rs} Ouerzees Chamber all att one time, but att what time shee remembreth not. That shee did see the Dutch Trunk in M^{rs} Ouerzees Chamber opened by Mary Williams, & shee thinks it was att th^t time when Mary Williams tooke out the Linnen th^t shee deliuered to her this Exam^d

Philip Caluert Richard Willan

The Examinaõn of Thomas Courtney apprehended uppon Suspition of ffelony taken before ut suprà.

2^d Nouemb^r 1658

The Exam^d Sayth th^t his mother Mary Clocker sent him to John Williams, & tould him th^t the s^d Williams would know what he came for. That when he came to M^r Ouerzees, Mary Williams seeing this Exam^d stay wth out saying any thing, asked him whither hee came for any thing thither or not. To w^{ch} this Exam^d replied hee came for salt, nobody being att th^t time by but John Williams. That after this hee this Exam^d went into M^r Ouerzees Kitchen, where were diuers of the seruants & John Williams. That Mary Williams coming into the Kitchin, John Williams gaue this Exam^d a priuate Rubbe wth his Elbowe, by w^{ch} he coniectured the s^d Williams would haue spoken wth him, & thereuppon followed the s^d Williams into the Roome where hee & his Wife lay, & there receaued from the s^d Williams Salt to the quantity of Three Pecks. That as hee this Exam^d was carrying the salt home hee imagined the Salt was not belonging to John Williams, but th^t hee had stolne itt from M^r Ouerzee. That one day being att the Cow pen his sister Elizabeth tould him th^t his mother had bene att home, & had brought home Two smocks wth her.

Philip Caluert Richard Willan

The Examinaõn of Elizabeth Clocker taken ut suprà being a Child about Twelue yeares old.

The Exam^d Sayth th^t those Two smocks shee tould her Brother Liber
Thomas Courtney of, shee knew not who brought them home, & all P. C. R.
that shee knew was by Relaōn from her Sister Mary.

Philip Caluert Rich: Willan.

The Examinaōn of Mary Clocker taken ut Suprà being a Child p. 170
about nine yeares old.

The Exam^d Sayth That the Smocks shee tould her Sister of were
her Mothers.

Philip Caluert Richard Willan.

The Deposⁿ & Examinaōn of Anne Holt, Seruant to M^r Symon
Ouerzee taken in open Court.

The Depon^t Sayth That Mary Williams taking a Case Key opened
therewth M^r Chandlers Trunk who kept M^r Ouerzees keyes in his s^d
Trunk, & that Mary Williams then tooke out her M^r Ouerzees keyes,
& opened M^r Ouerzees Cabinett; And tooke out some things out of
the Cabinett, as thread, tape & pinns, & then locked M^r Ouerzees
keyes up, in M^r Chandlers Trunk againe (M^r Chandler himselfe not
being then in the howse) And att another time Mary Williams goeing
to putt up a peice of Woollen cloath into a Trunk, shee then tooke
out some other things, as ştockins & buttons, & a peice of silk, w^{ch}
shee profered, & would haue gyuen this Depon^t this Depon^t bidding
her putt it up againe. The Jury Returning, Deliuered their Verdict
Endorsed on the Writt Billa Vera uppon the whole.

Mittimus to the Sheriffe to haue the Prisoners under safe Custody,
till they bee againe called.

To the hon^{bte} the Gouverno^e & Councell

The humble Petⁿ of Samuel Tilghman Humbly sheweth That yo^r Tilghman v.
Pet^r hauing payd for the use of Robert Kedger ffowre pownds of Kedger
lawfull money of England, In consideraōn whereof the s^d Rob^t
Kedger did giue unto yo^r Pet^r Bills of Exchange charged uppon M^r
Callaway to pay the s^d ffowre pownds, wth a letter of aduice to that
purpose. But being demanded there, it was denyed & therefore
protested. Therefore yo^r Pet^r desyres Judgm^t agst the s^d Kedger wth
the Costs & Dammages, And yo^r Pet^r shall pray &c:

Vnto the Pet^{of} the p^{tf} aboues^d the dēft (by M^r Attorney graffl)
acknowledgeth the Bill of Exchange mentioned in the p^{tf}s Petⁿ yett
sayth th^t hee this dēft shipped on board the p^{tf}s ship one hogshead of
Tob. & had Two Bills of Lading for the same & sent one to M^r
Callaway, yett the p^{tf} neuer deliuered that hogshead to whom it was
sent.

To w^{ch} the p^{tf} sayth th^t That hogshead of Tob was not deliuered to
him (as is alleaged) but to One Browne, who disposed of the hogs-
head according to the dēfts order, as appeareth by this Certificate
or attestaōn.

Liber
P. C. R.
p. 171

Robert Morris of Ratcliffe Mariner is ready to make oath th^t in June 1653 or thereabouts Samuel Tilghman master of the ship Goulden ffortune then att S^t Maries in Maryland, did receaue into the s^d ship one hogshead of Tob, to bee deliuered in London shipped by Robert Kedger Lyuing in that place; wth a Charge to One John Browne then being a Passenger in the s^d ship, by the s^d Rob^t Kedger to deliuer it to a ffreind of the s^d Kedgers in Sowthwarke. Deliuering to the s^d Browne his letter & Bill of Lading, wth order to the s^d Browne to deliuer it wth the letter & Bill as aboues^d, But in case hee could not find his friend, to dispose of it & giue him an Accompt. Allso the s^d Rob^t Morris will depose That the s^d Browne told him That he could not find the s^d Kedgers ffreind, & therfore according to Order from the s^d Kedger hee made sale of the hogshead in his sight, But what money Browne receiued therefore he is uncertaine. Allso the s^d Rob^t Morris Two yeares after was questioned by a Seruant of the s^d Kedgers about this busines, where in Virginia he made Oath to giue the s^d Kedger satisfaction to what is abouesayd sett downe. And the s^d Rob^t Morris doth likewise say & is ready to make oath That the hogshead was much Damnified when Browne sould it.

To all w^{ch} p^eticulars I am ready to make Oath

Rob. Morris

June 15th 1657 To M^r Jeremiah Callaway

S^r pray pay unto Cap^t Samuel Tilghman or his order, att sight of this my first Bill of Exchange my second & third not comming to hands, the summe of ffowre pownds sterl. Pray make good payment, & place itt to the acco^t of yo^r uery louing ffreind.

Rob^t Kedger.

Bee it knowne unto all men by these p^ents That one the thirteenth day of the month of Noumb^r in the yeare of Our Lord 1657 att the instance & request of M^r Samuel Tilghman of Ratcliffe Mariner I John Daniel Notary & Tabellion publick dwelling in London, admitted & sworne went to the now dwelling howse of M^r Jeremiah Calloway scituate in Southwark neere London, & there speaking to his seruant I asked him if that the s^d M^r Jeremiah Callaway his Master were att home, or had left any Order wth him for the paym^t of a Certaine Originall Bill of Exchange unto him shewen & whereof the Coppey here before is written word for word. Whereuppon the s^d Seru^t answered that his Master was not wth in, neyther had hee left any Order wth him for the paym^t of the s^d Bill of Exchange, W^{ch} p. 172 answerd I the s^d notarie hauing heard, att the instance & request as afores^d protested, euen as I doe protest by these p^ents for want of p^ent paym^t of the s^d Bill of Exchange, & of Exchange & Rechange &

all Costs dammages & interests allready suffered & susteyned, & yett to bee suffered & susteyned as well agst Rob^t Kedger drawer or sub- scribe of the s^d Bill of Exchange & agst the s^d Jeremiah Callaway, to whom the Bill is directed as agst all others in the s^d Exchange w^{ch} are any wayes bownd to recouer all the sume of them or of their goods in time & place as of right shall appertaine. Thus done & protested in this Citty of London in the p^{ence} of Will^m Allen & Thomas King wittnesses hereunto requyred

Good attestor rogatus & requisitus
Johannes Daniel Not. publ &c:

M^r Edward Packer sworne in open Court sayth th^t sometime in June was Twelfmonth being aboard Cap^t Tilghmans ship, he heard the difference discussed betwixt the p^{tf} & the d^{eft} concerning this hogshead of Tob: yett after much dispute & contention betwixt them, both parties were satisfyed (as this Depon^t understood & imagined) And thereuppon Rob^t Kedger signed a Bill of Exchange of fflowre pownd sterl, to the p^{tf}.

It clearely appearing to the Court both by Rob^t Morris his attestaon Date of the Protest & Lr^e of Exchange, & M^r Packers Deposⁿ that th^t hogshead in dispute was not shipped by the d^{eft} to the intent to satisfy this Bond, as the d^{eft} seemes to inferre: neyther had the p^{tf} any p^{et}icular Care or Charge gyuen, & undertooke by him, in or concerning the same It is therefore Ordered that the D^{eft} pay his Debt of fflowre powns sterl to the p^{tf}, wth Twenty shillings ouer & aboue for dammage, and fflowre shillings more for the Protest, Besides Costs of suite.

Know all men by these p^{ents} th^t I Will^m Edwin of the Prouince of Maryland doe bind my selfe my heyres Executo^{rs} & Adm^{istrato}^{rs} to pay or cause to bee payd unto Cap^t Samuel Tilghman or his appoyntm^t, for the use of the Owners of the ship Goulden ffortune the summe of Twelue hund^d powns of good sownd bright & large Tob in cask, w^{ch} is for my passage in the s^d ship from England to Maryland, wth in three weeks after the s^d ships arryuall there. And in Case of Default thereof, th^t then I the s^d Will^m Edwin doe bind my selfe, my heyres, Executo^{rs} & Adm^{istrato}^{rs} firmly by these p^{ents} to deliuer & make ouer unto the s^d Cap^t Tilghman for the use afores^d Two good Milch Cowes under the age of fiue yeares, & not to bee lesse then Three yeares old apeece & I the s^d William doe further binde my selfe &c th^t if in Case one halfe of the s^d Tob be not payd by the time afores^d that then to deliuer unto the s^d Cap^t One Cow of the Condi^{co}n^s before mentioned, wittnes my hand & Seale this 10th of January 1656

In the p^{ence} of Henry Coursey

Will^m Edwin Se + eale

p. 173

Liber
P. C. R.

Tilghman v.
Edwin

Liber
P. C. R.

To the hon^{bte} the Gou^r & Councill &c:

The humble Petⁿ of Samuel Tilghman Humbly Sheweth That yo^e Pet^e hauing in the yeare 56 transported out of England Will^m Edwin of this Prouince uppon the ship Goulden ffortune & the s^d Edwin hauing not satisfyed according to Agreem^t yo^r Pet^r craues Judgm^t for his Debt wth costs of suite, & allowance for fforbearance

And hee shall pray &c:

To the p^lfs Petⁿ and the Bond produced by him, The dēft sayth that hee payd a Steare formerly in part of Satisfaction of th^t Debt, & profered to satisfy the remainder in Cattle.

June the 2^d 1657

Rec^d of goodman Edwin in part of paym^t one small Steare con-
teyning the weight of 251^l for the use of Cap^t Tilghman by me

John Mochar Boteswaine

W^{ch} Receipt the p^lf acknowledgeth.

It is Ordered th^t the dēft pay Eight hund^d twenty fowre pownds of Tob to the p^lf, or ells Two Cowes about 5 or 6 yeares old, wth their encrease for two yeares. And then the p^lf to repay to the dēft Two hund^d fifty one pownd of meate. It being the weight of the Steare formerly killed for the use of the p^lf.

Kedger v.
Tilghman

To the hon^{bte} Josias ffendall Esq^r Gou^r & the hon^{bte} Councill &c:

The humble Petⁿ of Robert Kedger Humbly Sheweth That yo^r Pet^r deliuered to Cap^t Samuel Tilghman a Bill of 1800^l of Tob due from Jenkin Price of Accomack yo^r Pet^r desyring the s^d Cap^t Tilghman to receaue the same for yo^r Pet^rs use. W^{ch} the s^d Cap^t Tilghman promised to doe, & to be accountable therefore to yo^r Pet^r if he receaued it from the s^d Jenkin: if not, th^t he would returne the Bill againe to yo^r Pet^r (as by a Receipt under his hand to th^t purpose may appeare) But soe it is th^t the s^d Cap^t Tilghman hath receiued the s^d 1800^l of Tob of the s^d Jenken, & yett refuseth to make yo^r Pet^r satisfaction, or be accomptable for the same.

Wherefore yo^r Pet^r prayeth th^t the s^d Cap^t Tilgman may make yo^r Pet^r satisfaction wth dammage for the s^d summe of Tob wth Costs of Suite, & yo^r Pet^r shall pray &c:

Receiued of Rob^t Kedger a Bill of Eighteene hund^d pownds of Tob due att Accomack from Jenkin Price, The which Bill I doe promise eyther to Returne unto the s^d Rob^t Kedger or Receauing the s^d Tob. to bee accountable unto him for the same, as wittnes my hand the first day of May 1654

Sam: Tilghman.

The dēft sayth that hee acknowledgeth his Receipt or Condiçōn produced, & his the P^lfs Petⁿ in part allso, hauing reference to th^t his Receipt And further to haue receaued the s^d Tob. (there being

due to himsele out of the same Eight hund^d pownds of Tob) w^{ch} hee shipped home for England in another ship, & not in his owne ship: w^{ch} Tob prouing nought, hee thought not fitt to cleare itt: neuer making a penny profitt thereof, w^{ch} accompt he formerly gaue the p^{tf}. Liber
P. C. R.

The p^{tf} further alleageth th^t hee gaue the dēft order to ship it in noe ship home, but in his owne ship, & th^t the p^{tf} was to runne the hazard in the Tob home. But hauing noe wittnes to this contract or Bargaine, ffor the clearing of w^{ch} Cap^t Samuel Tilghman sayth uppon Oath That hee shipped home Two hogsheds of Tob, w^{ch} he receaued of Jenkin Price for the use of Rob^t Kedger & one hogshhead of his owne, W^{ch} Three hogsheds hee neuer cleared, or receaued a penny for them. But left them for the freight in Cap^t Swanleys hands, And th^t the Two hogsheds weighed about Eight hund^d pownds, & th^t there remaines still due to Robert Kedger about Two hund^d pownds of Tob.

It is ordered th^t the dēft eyther returne the Bill of Jenkin Price according to his condicōn, or ells pay Two hund^d pownds of Tob wth Costs of suite unto the p^{tf}.

Came Joseph Edlow & acknowledgeth a Judgm^t to Cap^t Nicholas Gwyther Attorney of Cap^t Richard Whyting for seauen hund^d sixty fiae pownds of Tob & Cask. Whiting v.
Edlow

The Court adiorned by the Gou^e till to morrow morning att 8 of the Clock.

ffriday the 25th of ffebruary 1658.

1658/9
Feb. 25

Pnt^e

Josias ffendall Esq ^r Gour ^r	} Mr Rob ^t Clearke	} D ^r Luke Barber		
Philip Caluert Esq ^r Secr			} Mr Job Chandler	} M ^r Baker Brooke
Cap ^t Will ^m Stone				

To the hon^{bte} the Gou^e & Councell of the Prouince of Maryland Crouch v.
Fenwick

The humble Petⁿ of Raph Crouch Sheweth That sometime in Octob^r last was tweluemonth, M^{rs} ffenwick comming to M^r Thomas Mathewes howse ēquyred of the s^d M^r Mathews concerning a horse Colt w^{ch} shee missed; M^r Mathews certified her, That there was a horse Colt in the neck yett telling her wth all th^t that Colt in the neck did belong to M^r Starkey, informing her allso of the marke of the Colt, & how th^t that Colt was dragged ouer S^t Inegos Creek wth a Rope, & soe putt into the neck by some of Cap^t Cornewalleys poeple. And th^t that Colt had a Soare in one of his ffeete, occasioned by tying him up att the Crosse, when Cap^t Cornewalleys & M^r Mathewes were bargayning about that Colt. And John Bogue being then wth M^{rs} ffenwick told the s^d M^r Mathewes, th^t if hee could but see the Colt, hee could giue a guesse, whither it was M^{rs} ffenwicks Yea or Noe, by a priuate marke. Whereuppon John Bogue & M^r Mathewes p. 175

Liber
P. C. R. goeing & ueiwing the Colt, M^r Mathews asked him for his priuate marke; & Bogue instantly replyed, hee could not see it, saying how perhaps it might bee growne out. And then M^{rs} ffenwick requested of M^r Mathewes that shee might take up that Colt saying th^t shee should bee willing for M^r Starkeys sake to endeauou^e to cure the hurt in his legge. W^{ch} hee willingly condescended unto. And there-uppon M^{rs} ffenwick tooke up that Colt, not clayming any Interest in it as her owne but as belonging to M^r Starkey, Now soe it is th^t M^{rs} ffenwick deteyneth that Colt from yo^e Pet^e (hee being the lawfull Executo^r of the s^d M^r Starkey) though hee hath since demanded the same of her: Being assured by euident testimonies, w^{ch} hee is ready to produce in Court th^t That Colt soe deteyned by her, did formerly belong to the s^d M^r Starkey, Conceiuing himsef much iniured therein, through her s^d Detinew; neyther will shee yett redeliuer the same, unlesse by Order of this hon^{bte} Court shee bee compelled thereunto

Hee humbly therefore requests That yo^r hon^{rs} will take Cognizance of the Case a releiue yo^r Pet^r

And hee shall pray &c:

To the Petⁿ of the p^{lf} the dēft (by M^r Attorney gra^{tl}) denyeth what is alleaged in the Petⁿ, Whereuppon the p^{lf} produceth these his testimonies.

Vid. fol. 240 M^r Thomas Mathews sworne in open Court Sayth That he uerily beleiueth th^t the Colt now in dispute came of M^r Starkeys mare.

M^{rs} Hester Mathewes sworne allso in open Court sayth, That shee saw M^r Starkeys mare defend this Colt now in dispute agst a gelding th^t followed & beate him.

Marks Pheypo Sayth That he saw a reddish Colt wth Three white feete follow a Mare, th^t was accounted M^r Starkeys Mare, But whither it was her Colt or not he cannott tell.

Nicholas Keytin Sayth th^t hee saw a Roane Mare called M^r Stark-eyes Mare & a Red yowng horse wth Three white feete, & a white streake downe the forehead in company wth her.

Bryant Daly Sayth th^t hee saw a Mare & a Colt, w^{ch} was told him was M^r Starkeys (w^{ch} is the horse now in dispute) & M^r Mathewes horse did often stryue to beate th^t Colt from the Mare, but could not.

Thomas Hawker Sayth that euer since hee knew the mare w^{ch} was M^r Starkeys, hee saw the Colt now in dispute follow M^r Stark-eyes mare & thereuppon hee allwayes accounted it to belong to M^r Starkey.
p. 176

Barnaby Jackson Sayth, th^t hee knew th^t M^r Starkey had a horse Colt and there being another horse Colt somthing like M^r Starkeys: hee neuer knew one Colt from the other.

Cap^t Thomas Cornewalleys sayth, That the horse now in dispute was allwayes reputed M^r Starkeys horse, & th^t hee this Depon^t tooke up that horse in Company wth M^r Mathews horses. Liber
P. C. R.

The Dēft produceth the following testimonies.

Will^m Mill aged 30 yeares or thereabouts sworne & examined this 31 January Sayth That M^r ffenwick had a ffeabitten mare th^t fold a horse Colt in June or July the summer before the hard winter, w^{ch} Colt was then of a Rone couler, & a white streake downe the face & 2 or 3 white feete a little way up his leggs, to the best of his knowledge, And att the fall of the yeare, th^t mare & foale went to S^t Maries, hearing the same from seuerall poeple that they were both there, And M^r Trueman bringing up the Mare this Depon^t asked him where the foale was, & M^r Trueman answered hee did not see it when he brought the mare away, but hee thought it was left att Cap^t Stones. About 2 yeares agoe this Depon^t being att S^t Maries in Cap^t Stones Cow pen he there tooke up the fores^d Mare: & there was another Mare w^{ch} had two Colts following her, & asking Griffin whose yowng horse th^t was M^r Starkeys, & the Mare & the other Colt allso, & the biggest of the Colts had a white face from one eye to the other, & 3 or 4 white leggs a good way up, & further sayth not.

Sworne before me Tho: Sprigge

Will: Mill

John Bigger aged 24 yeares or thereabouts sworne 14^o January 1658 Sayth that formerly he used to trade much in horses, in buying & selling them for many yeares together, & being desyred by M^{rs} ffenwick to looke in her Roand' horses mouth doth declare th^t the s^d Roand horse is fve yeares old, next foaling time, according to this Depon^{ts} best skill in the age of horses, & further sayth not.

Sworne before me Hugh Stanley

John † Bigger

George Reade aged 27 yeares or thereabouts sworne this 29th December 1658 sayth That the Roand horse now in the possesⁿ of M^{rs} Jane ffenwick is ffue yeares old next foaling time, according to this Depon^{ts} best skill in the age of horses.

Sworne before me Tho: Sprigge

George ✕ Reade

Will^m Kenede aged 30 yeares or thereabouts sworne 1^o January 1658 Sayth th^t M^{rs} ffenwicks Roand horse is betwixt 4 & 5 yeares old to the best of his iudgm^t & further sayth not p. 177


Sworne before me Tho: Sprigge.

Will^m M Keneda.

Henry Thickpenny aged 26 yeares or thereabouts sworne 29 Decemb^r 1658 Sayth That the horse w^{ch} should or did belong to M^r Starkey, is not yett 4 yeares old untill the next May

Sworne before me Tho: Sprigge.


Henry G Thickpenny

Liber
P. C. R. John Bogue aged 30 yeares or thereabouts sworne 15 January 1658
Sayth that M^{rs} ffenwick had a Roand horse wth 3 white feete & a
white sneepe downe the face, w^{ch} should bee aged fīue yeares come
foaling time, & this is the horse M^{rs} ffenwick now hath in her possesⁿ
to the best of his knowledge, & further sayth not
Sworne before me Hugh Stanley. John  Bogue

Will^m Innis aged 40 yeares or thereabouts sworne 13 January
1658 Sayth That M^{rs} ffenwicks Roand horse, by all signes & tokens &
markes th^t I can apprehend by a horses mouth is fīue yeares old the
next foaling, & further sayth not.
Sworne before me Tho: Sprigge. Will^m Ineis

It is ordered that this Cause be Respited, & th^t all the Wittnesses
be att the next Prouinciall Court to testify Viua Voce & bee there
determined.

William
Allen v.
Mrs Jane
ffenwick Vppon the demand of Will^m Allen (p^e Attornat Thomas Mathews)
for 340^t Tob.
The dēft (by her Attorney) sayth th^t shee hath payd all or most
part of th^t Debt now demanded; & it being a Debt of 3 or 4 yeares
standing is not able to declare how the s^d Debt was payd & satisfīed
by her: And because it is a Debt uppon Accompt (whereas noe Debts
uppon any Accompt are recouerable by Act of Assembly of this
Prouince aboue nine months standing) Craues the Benefitt of that
Act, W^{ch} was graunted, & the p^tf nonsuited.

Cornwaleys
v. Baysey Know all men by these p^ents th^t I Michàèl Baysey doe make my
Wife Joane Baysey my true & lawfull Attorney, to arest, imprison
& plead all Causes whatsoeu^e in as full power as if I my selfe were
p. 178 there, & I Michàèl Baysey doe impower her my s^d Wife to plead all
cases, & act & wth stand all suites depending in this Prouinciall Court
as wittnes my hand this 18th of January 1658 Michael  Baysey
Testes Thomas Seamor John Rawlings

To the hon^{bte} the Gou^r & Councell for &c:

The humble Petⁿ of Thomas Cornewalleys Sheweth That whereas
Thomas Gregory late of this Prouince being unfortunately slayne att
the engagem^t in Anarundell County being indebted to yo^r Pet^r.
And none since his death hauing taken any legall course for duly
ad^mistring the Estate of the s^d Gregory, whereby yo^r Pet^r might
receaue satisfaction, who hauing thereuppon taken out lrēs of ad-
mⁱstraōn & hearing th^t Michael Baysey of Patux^t hath illegally
possessed himselfe of a Parcell of Land, lett by the s^d Baysey to the s^d
Gregory for certaine yeares of a writing under the hand of the s^d
Baysey, W^{ch} writing the s^d Baysey after the death of the s^d Gregory

someway surreptitiously hath gott into his possesⁿ & refuseth to
 deliuer to yo^r Pet^r or satisfaction for the s^d Land whereon the s^d
 Gregory had builded & cleared a Conuenient Plantaōn worth as yo^r
 Pet^r is informed neere 2000^t Tob. Liber P. C. R.

In consideraōn whereof yo^r Pet^r humbly prayeth th^t the s^d Baysey
 may deliuer up the s^d writing, or declare uppon Oath the Contents
 thereof & giue satisfaction to yo^r Pet^r for the s^d Plantaōn, whereby
 yo^r Pet^r may receiue satisfaction for his iust Debt & hee shall
 pray &c:

The dēft sayth th^t she knoweth not of any Condiçōn passed by her
 husband to the s^d Gregory under hand writing, & if such were she
 knoweth not what is become thereof &c:

In this Cause Anne Cranly deposed sayth, That her husband
 Gregory had a Condiçōn of Michàel Baysey for planting grownd in
 Patux^t Riuer for nine yeares for w^{ch} grownd her s^d husband was to
 pay to the s^d Baysey Two Capons a yeare. But what is become of
 the Condiçōn shee knoweth not. Vid. fol. 238

Thomas Long sayth That Thomas Gregory told this Depon^t that
 hee had a Condiçōn from Michàel Baysey for nine yeares for his
 planting Grownd & shewed him this Depon^t the Condiçōn: But this
 Depon^t neuer read the same.

This Cause is respited till the next Prouinciall Court, & th^t John
 uan Hack be summoned therto, to testify.

war^t to the Sheriffe to impanell a Jury &c:

p. 179

Sheriffe returnes his writt & warned
 fforemaⁿ

Attorney
 General v.
 Williams
 et al.

M ^r James Langworth	M ^r Will ^m Boreman	Nicholas Keytin
M ^r Thomas Mathewes	M ^r Walter Hall	M ^r James Lindsey
M ^r Henry Adams	Robert Cole	Marke Pheypo
M ^r Thomas Sprigge	Rob ^t Kedger	Will ^m Hayes

Was Called to the Barre & Presented John & Mary Williams &
 Mary Clocker for ffelony; & Thomas Courtney for Petite Larceny.
 Presentm^t read afore them all.

The Jury doth present on the behalfe of the Lord Proprietary of
 this prouince That John Williams & Mary his Wife, late of S^t Johns
 in the County of S^t Maries, did (on the ninth day of Octob^r last past,
 att the howse of Symon Ouerzee att S^t John in the County of S^t
 Maries afores^d) ffieue Cakes of Castile soape| one payre of Childrens
 shooes| one Card of Galoone Lace| Two small peices of galoone Lace|
 one yard & halfe of yellow Ribbon| one payre of white gloues| about
 halfe a yard of fine holland| a paper of pepper| a parcell of Siluer &
 gold Lace| a bottome of white thread some white thread & say to-
 gether| a Card of small siluer buttons| a Card of greene Coate-
Presentmt
 John
 Williams &
 Mary
 Williams

Liber
P. C. R. Buttons| a Remnant of galoon Lace| a bottome of Black thread| a
parcell of white Thread| a small parcell of starch a greene Safeguard|
a payre of blew stockings| a payre of Bodies| a paper of pepper| one
silk Lace| Two peices of small ribboning| a remnant of yellow & red
stuffe| a payre of Twyzers| a small remnant of red Say| a fine
holland Apron| a yard of Canuase| a yard of Diaper| a remnant of
blew Calico| a goard of Sugar| one payre of Irish stockings| one
pound of whited browne thread| one pound of colowred thread|
one Thowsand of pinns| a peice of Tape| a parcell of yellow Lace|
a grosse of small buttons| a small remnant of Course holland| one
pound of white thread| a small neckcloath| a Scollop dressing| one
fforehead Cloath| one fflaunders Lacd' dressing| One scollop hand-
kercher| one buttond handkercher| Three fflaunders Lacd' quoyfes|
one fflaunders Lacd' quoyfe wth bandstrings| one fflaunders Lacd'
pinner| one fflaunders Lacd' gorghett| one Cambrick gorghett| an-
other fflaunders Lacd' gorghett| Two fine holland Aprons| Two pock-
ett handkerchers wth greate buttons| one bastard fflaunders Lacd'
holland smock| one fflaunders Lacd' holland smock| to the ualew of
ffifty pounds sterling, ffeloniously take & carry away, agst the
peace of his s^d L^p, his Rule, & Gouverm^t.

The Prisoners plead not Guilty

Presentment
Mary
Clocker
p. 180 The Jury doth present on the behalfe of the Lord Proprietary of
this Prouince, That Mary the Wife of Daniel Clocker of S^t An-
drewes in the County of S^t Maries, Did (on the ninth day of Octob^r
last past att the howse of Symon Ouerzee, att S^t Johns in the County
of S^t Maries afores^d) contriue abett & Counsell Mary Williams (of
the place & County afores^d) feloniously to take & carry away from
the howse of the s^d Symon Ouerzee ffine Cakes of Castile soape| one
payre of Childrens shooes| one Card of galoon Lace| one yard & a
halfe of yellow Ribbon| one payre of white gloues| one yard of fine
holland| one paper of Spice| a parcell of Siluer & gold Lace| one
bottome of white thread| some white thread & say together |one
Card of small siluer buttons| a Card of greene Coate buttons| a
remnant of galoon Lace| one bottome of black thread| a parcell of
white thread| a small parcell of starch| a greene Safeguard a payre of
blew stockings| a payre of Bodies| a paper of pepper| a silk Lace|
Two peices of small ribboning| a remnant of yellow & red stuffe| a
payre of Tweezers| a small remnant of red say| a fine holland Apron|
a yard of Canuase| a yard of Diaper| a remnant of blew Calico| a
goard of Sugar| a payre of Irish stockings| a pound of whited browne
thread| a pound of coloured thread| a thowsand of pinns| a peice of
tape| a parcell of galoon Lace| a grosse of small buttons| a small
remnant of course holland| a pound of white thread| a small neck-
cloath| a scollop dressing| a forehead cloath| a fflaunders Lacd'
dressing—And did allso after the ffact Committed from the s^d Mary
Williams & John Williams her husband feloniously receaue ouer &

about the forementioned parcell of goods, these ffollowing (Viz), a scallop handkercher, a buttond hankercher| Three fflaunders Lacd' quoyfes another fflaunders Lacd' quoyfe wth bandstrings| a fflaunders Lacd' pinner| a fflaunders Lacd' gorghett| a Cambrick gorghett| another fflaunders Lacd' gorghett| Two fine holland Aprons| Two pockett handkerchers wth greate buttons| a bastard fflaunders Lacd' holland smock| a fflaunders Lacd' holland smock| To the ualew of fifty pownds sterling, agst [the peace] of his s^d Lordship his Rule & Gouvernm^t.

Liber
P. C. R.

The Prisoner pleades Not Gwilty.

The Jury doth present on the behalfe of the Lord Prop^e of this Prouince That Thomas Courtney the sonne of Mary Clocker of S^t Andrews in the County of S^t Maries did after the ffact or Theft committed, feloniously receaue from John & Mary Williams late of S^t Johns in the County afores^d Three pecks of Sallt, & the same Carry away to S^t Andrews afores^d to the ualue of ffowre pence agst the peace of his s^d Lordship his Rule & gouernm^t

Presentment
Thomas
Courtney

The Prisoner likewise pleads not Gwilty.

And the Jury all Agreeing The fforeman deliuered their Verdict (Viz) John Williams & Mary Williams (as Principalls) Guilty to the ualue of ffifty shillings.

Mary Courtney (as Accessary) Gwilty to the ualue of ffifty shillings

Thomas Courtney (as Accessary) Guilty to the ualue of fowre pence.

Writt to the Sheriffe to take the Prisoners att the Barre, & them keep under safe Custody till they bee againe called for.

To the hon^{bte} Josias ffendall Esq^r Leiuten^t of Maryland wth the rest of the Councell of State.

p. 181

The humble Complaynt of Thomas Cornewalleys Sheweth, That whereas the Complayn^t did hyre out his Sloope & small Boate unto Dauid fferreira for transporting of his good up Potowmeck Riuer, Now soe it is th^t after the s^d Sloope & Boate came aboard the Catch where the s^d Dauid fferreiras' goods were, hee changed his mind & made of the s^d Sloope & Boate only to Land his goods att Edward Packers in S^t Georges Riuer, After the Landing of w^{ch} goods, & th^t the s^d Sloope was anchored before Edward Packers, & the small boate brought on shoare & there fastned by Edmund Nanfan Seruant to the s^d Thomas Cornewalleys, John Mickay (Seruant to Edward Packer) tooke the s^d Boate to haue fetchd some fowle th^t were shott by an Indian belonging to the s^d Packer, But as hee was goeing the s^d Dauid ffereira hauing some occasion to use the Boate, Commanded him to bring her on shoare, w^{ch} accordingly hee did, & there left her wth the s^d Dauid & for his seruice, who hauing fownd a Cask of

Cornwaleys
v. Fereira

Liber
P. C. R. Brandy th^t hee missed, made noe further use of the Boate, nor tooke care to make her fast, whereby the s^d Boate was lost, And the Wind being Contrary, th^t the s^d Sloop could not come home, the s^d Thomas Cornewaleys was forced for securing his Sloop (Shee hauing bad Grownd-tackle) to desyre Edward Packer to carry her into his Creek where shee still remaines. By all w^{ch} yo^e Pet^e is damnified att the least, One thowsand pownds of Tob. for w^{ch} he desyres the s^d Dauid fferreira may make him satisfaction & hee shall pray &c :

The Dēft sayth, that he hyred the p^{ffs} Boate, to the intent as is alleaged in the p^{ffs} Petⁿ, But altering his mind & intention, & resolu- ing to stay there where hee was, & putt of his goods, hee made noe use neyther of the Sloop or small Boate, And th^t all his goods were landed wth that Boate w^{ch} belonged to the Catch, & brought his s^d goods in, neyther did hee claime any interest in the Boate, or tooke any charge of her.

Edward Nanfan sworne in open Court Sayth, That John Mickay tooke a small Boate belonging to Cap^t Cornewaleys Sloop, & rowed after some fowle in S^t Georges Riuer w^{ch} were Shott. And Dauid ffereira calling to him bad him come on shoare. Mackay answered him saying the Boate is none of yo^{es} & ffereira replyed againe saying That it was, for hee had hyred it, And Mickay to this Depon^{ts} thinking did not row six strakes after but came immediately on shoare wth the Boate.

The Deposⁿ of Robert Sallowes aged 30 yeares or thereabouts Sworne & Examined the 7th day of January 1658

This Depon^t Sayth th^t betweene one & two of the Clock about the ninth of nouemb^r last, Both the Sloop & Small boate was deliuered unto Cap^t Cornewaleys seruant, for the use of Dauid ffereira, And the s^d Seruant complayning unto this Depon^t th^t hee wanted a Roape to fasten the small Boate, this Depon^t gaue him one small Roape to fasten the same, & this Depon^t further sayth, th^t hee
p. 182 wth some others brought a boates loading of goods in the Vessells Boate about 4 or 5 a clock the same day & layde att the sterne of the other Boate. And th^t whillst Dauid ffereira was disputing about a Cask of Brandy wth the Seamen John Mickay & an Indian tooke the Boate to fetch some fowle, w^{ch} they had shott in the Riuer, & th^t Dauid ffereira called to them to bring the Boate a shoare, telling them th^t hee had hyred the Sloop & Boate. Whereuppon the s^d Mickay & the Indian brought the Boate a shoare, & doth uerily beleiue th^t Dauid ffereira was there, yett he deposeth th^t Dauid ffereira was att the same Landing after the Boate came ashoare & further sayth not

Jurat Cora me Josias ffendall.

Rob^t Sallowes.

M^r Edward Packer sayth uppon oath, That att the request of Cap^t Cornewalleys hee carryed the Sloop into the Creek. But the small Boate was lost the night afore.

The Judgm^t of the Court is That the dēft hyring the p^lfs sloop & small Boate, ought to haue returned both the sloop & small boate. As to the price of the s^d small Boate. Liber
P. C. R.

Cap^t Thomas Cornwalleys Sayth uppon oath, th^t That small Boate cost him (w^{ch} is lost) fīue hund^d pownds of Tob. besides pitch & nailes.

It is therefore Ordered th^t the dēft pay to the p^lf Six hund^d pownds of Tob wth costs of suite. Exequuōn issued 28^o Aprill 1659 Vid. fol. 264

To the hon^{bte} the Gour^r & Councell &c:

The humble Petⁿ of Richard Smith Attorney to Richard Woolman Sheweth Woolman v.
Harwood

That whereas the s^d Rich: Woolman bought a Parcell of Land, Lying on the North side of Roade Riuer being one hund^d & fifty Acres, in the County of Anarundell, of Robert Harwood, & hath long since satisfyed him for it, Soe it is, th^t the s^d Rich: Woolman demanded seuerall times of the s^d Harwood to make good his tyle & giue him such assurance thereof, as Law hath prouided in such Cases. The w^{ch} the s^d Harwood hath not yett done, but doth still obstinately refuse to giue the s^d Woolman any assurance of the s^d Land, w^{ch} hee long since hath bought & payd for. Yo^r Pet^r humbly therefore prayeth, th^t yo^u will take it into yo^r serious Consideraōns, & graunt such releife, as Law & equity hath prouided in such Cases, wth all Cost, charge & dammage. And yo^r Pet^r as in duty bownd shall pray &c:

The dēft acknowledgeth th^t he sould th^t Land to the p^lf & receaued some satisfaction therefore; but the iust summe he now remembers not, & as to the assurance demanded of him hee cannot tell what is ment thereby, hee hauing deliuered him his tyle.

Cap^t Sampson Waring Sayth uppon oath, th^t about fowre or fīue yeares agoe being att Rich: Woolmans howse; Robert Harwood & the s^d Woolman did then repeate the bargaine concerning the Land. And th^t Robert Harwood receaued Thirteene hund^d & fifty pownds of Tob of the s^d Woolman in Consideraōn of 150 Acres of Land, or thereabouts, Surueyed by M^r Clearke to the s^d Harwood. Exeqn
issued
fol. 328
p. 183
Vid.

And the Court being informed th^t the s^d Harwood can make the p^lf noe assurance, not hauing fullfilld the Condiōns of Plantaōn whereby hee may claime any Land in this prouince, & not hauing taken the Ingagem^t according to Act of Assembly & still persisting in his obstinate humour concerning the same.

It is Ordered th^t the s^d Rob^t Harwood dēft repay the Thirteene hund^d & fifty pownds of Tob back, to the p^lf, wth Costs according to the p^lfs Petⁿ.

Liber
P. C. R.
David
ffereira v. alleaged) denyeth to satisfy.

Humphrey
Warren The dēft (p^e Attornat Roger Isham) sayth th^t hee profered the p^f satisfaction in Tob. for his debt demanded.

It is therefore ordered th^t the dēft pay unto the p^f Thirty six shillings six pence, according to his demand, in money sterl. Or Tob to th^t ualue att Two pence the pownd which amounts to Two hund^d & nineteene pownds of Tob, wth Charge of suite.

To the hon^{bte} the Gou^e & Councell of State &c:

Cornwalleys
v. Lindsey &
Brooks The humble Petⁿ of Tho: Cornewaleys admistrato^{rs} of Will^m Nugent Deceased Sheweth th^t whereas James Lindsey & ffrancis Brookes haue unlawfully possessed themselues of the Estate of Will^m Nugent, Hee humbly prayeth th^t the s^d James Lindsey may bee Ordered to deliuer an accompt of the s^d Estate to yo^r Pet^r uppon oath. And th^t hee may haue releife agst the Estate of the s^d Brooks for what he receiued of the s^d Estate. As allso an Order to receiue againe such cattle & hoggs or satisfaction for them as did belong to the s^d Nugent, There being noe lawfull Authority for the disposall of them: And consequently att the perill of the buyers, as yo^r Pet^r conceiues & hee shall pray &c:

Vid. fol. 263 Vppon the fores^d Petⁿ The Dēft is sworne in open Court, And by uertue of th^t Oath to deliuer or send downe a true account att the next Prouinciall Court of the s^d M^r Nugents Estate.

Re
Pritchard's
Estate M^r William Wilkinson is impowred by Order of this Court to sell a Cow or heyfer att Bartholomew Philips in S^t Clements manno^e, belonging to Will^m Pritchard the sonne of John Pritchard Deceased & to putt another Cow or heyfer in her roome of the same age here att S^t Maries for the use & behoofe of the s^d Will^m Pritchard, the s^d M^r Wilkinson hauing the s^d W^m Pritchard under Guardianship, & in his tuition.

Adams &
Mathews v.
Mitchell's
Estate Bee it knowne unto all men by these p^{nts} th^t I Will^m Mitchell Esq^r doe assigne all my right tytle & interest of a blackish browne horse wth a white face unto Henry Adams & Thomas Mathewes for the use of Jane Clearke, the late Relict of Nicholas Cawsine deceased; To haue & to hould unto the s^d Henry Adams & Thomas Mathewes to & for the sole benefitt & use of the s^d Jane Clearke & her heyres for euer & in wittness whereof I sett my hand this 7th of January 1656.

Will^m Mitchell

Signed & Deliuered in p^{nce} of Giles Sadler

These p^{nts} wittnes th^t I the aboue named Will^m Mitchell doe engage my selfe my heyres, Executo^{rs} & admistrato^{rs} uppon or before the last of Aprill next comming to deliuer to the aboue

named Henry Adams & Thomas Mathews for the use aboues^d a mare Liber
P. C. R.
betweene fowre & fve yeares old, uisibly sownd wind & limb, uppon
the Receipt of Eight hund^d pownds of good sownd merch^{bte} leafe
Tob & cask as wittnes my hand this 7th of January 1656

Will^m Mitchell.

In Case I fayle performance hereof my seruant Jane Witton is
hereby engaged for satisfaction.

Test Robert Thimbleby

This Bill bindeth me Will^m Mitchell of S^t Maries, in the prouince
of Maryland Esq^r, my heyres Executo^{es} admⁱⁿistrato^{es} or assigns
to pay or Cause to be payd unto Henry Ellery of the fore^sd prouince
Plant^e his heyres or assigns, the iust summe or quantity of Eight
hund^d weight of good sownd merch^{bte} leafe Tob & cask to be payd
att or before the Tenth of Nouemb^r next ensuing as wittnes my hand
this p^ent 14th of August 1656

Will^m Mitchell

Wittnes Math: Stone Rich: Hotchkeys.

Nouemb^r 7th 1656

I Henry Ellery the wth in named doe by this presents assigne &
sett ouer all my right tyle & interest of this Bill (wth the consent
of Cap^t Mitchell) unto Robert Cleark of this prouince.

Wittnes my hand the day & yeare aboue written

Henry H E Ellery

Daniel Johnson

January 20th 1658

Henry Ellery aged 45 yeares or thereabouts Sayth uppon Oath
That this Bill was assigned ouer unto M^r Rob^t Clearke wth Cap^t
Mitchells consent. Both Cap^t Mitchell & M^r Clearke, & this Depon^t
being alltogether in a Boate in S^t Georges Riuer, att the assigning
thereof

Hen: H E Ellery

Jurat Coraⁿ me Will^m Bretton

Whereas att a Court held in Caluert County on the 30th of Aprill Vid. fol. 47
last Attatchm^t issued out agst the Estate of Cap^t Mitchell for Two
Thowsand fve hund^d pownds of Tob att the Request of M^r Robert
Clearke And whereas not long after the s^d Attatchm^t was Layd M^r p. 185
Robert Thimbleby Attorney of the s^d Cap^t Mitchell came into this
prouince, & had notice gyuen him of the s^d Attatchm^t by the Gou-
erno^r. And whereas likewise th^t former Attatchm^t was by order of
the last Prouinciall Court held allso in the County of Caluert on the
sixth day of Octob^r last continued, yett soe as in the names of M^r
Henry Adams & M^r Thomas Mathewes in the behalfe of the Or-
phanes of M^r Nicholas Cawsine, (as appeareth by the s^d Order of
Court) to whom the specialty was signed & consequently the Debt
due. It is Ordered (the s^d Cap^t Mitchell not appearing nor any

Liber Attorney for him) That M^r Henry Adams & M^r Thomas Mathewes
P. C. R. haue Judgm^t for the s^d Two Thowsand fue hund^d pownds of Tob &
Cask allready attatched in part of satisfaction of their demand, for
non payment of the Mare according to the s^d Cap^t Mitchells obligaōn
& specialty.

Whereas att a Court held in Caluert County on the 30th of Aprill
last Attatchm^t issued out (att the request of M^r Rob^t Clearke) agst
the Estate of Cap^t William Mitchell for 2500^t Tob & Cask & whereas
att the next Court likewise in Caluert County 6^o October That At-
tatchm^t was continued in the names of M^r Henry Adams & M^r
Thomas Mathews & whereas lastly att this Court held att S^t Maries
25^o ffebruary the s^d Henry Adams & Thomas Mathews obteyned
Judgm^t agst the s^d Cap^t Will^m Mitchells Estate for the fores^d
summe .

ffees Leauy therefore by way of Exequuōn uppon any the goods debts
To the Clk or Chattles of Cap^t W^m Mitchell wth in this Prouince Two Thousand
—90
To the Sher. fue hund^d pownds of Tob & Cask (according to the fores^d order)
& deliuer the same to M^r Henry Adams & Thomas Mathewes or to
whom they shall appoynt to receaue the same, & for soe doeing this
shall bee yo^r warr^t. Gyueⁿ att S^t Maries this 25^o ffeb. 1658.

Philip Caluert

To the Sheriffe of Caluert County or his Deputy

The Court adiorned by the Gouverno^r till to morrow morning

February 26

Saturday 26^o ffebruary

Pnt^e

Josias ffendall Esq ^r Gou ^r .	M ^r Rob ^t Clearke	M ^r Ba : Brook
Philip Caluert Esq ^r Secr.	M ^r Job Chandler	M ^r Ed : Lloyd
Cap ^t Will ^m Stone	D ^r Luke Barber	

Vid. writt
fol. 107
Attorney
General v.
Holt et al.

Writt to the Sheriffe to impanell a Jury of 12 men
Sheriffe returnes his writt & warned
fforemaⁿ

M ^r Thomas Hinson	Richard Games	Owen James
Vincent Attchyson	Tobias Norton	John Neuill
Will ^m Edwin	Cap ^t Sampson Waring	George Mee
M ^r Hugh Stanley	Walter Pakes	Tho : Bennett

Was called afore the Board Robert Holt, & M^r William Wilkinson
Clerk, The s^d Holt being charged by M^r Attorney wth bigamy & M^r
Will^m Wilkinson as Accessary in Contryuing the same & prefers this
Inditm^t, Vid Inditem^t fol. 108.

p. 186 The Examinaōn of William Wilkinson Clerk taken the 9th of
Septemb^r 1658 who Sayth That hee did ioyne in marriage Robert

Holt & Christian Bonnefald, But denyeth th^t hee did any thing by way of diuorce betweene Robert Holt & his former Wife Dorothy, Notwthstanding confesseth, th^t he drue & signed as a wittnes th^t paper p^educed by Rob^t Holt, bearing date 4th of December w^{ch} conteyned a release of all claime of marriage from the s^d Dorothy to the s^d Robert, W^{ch} paper hee sayth hee did draw att their request uppon her Confession th^t shee had Two Bastards by Edward Hudson, & refusall to bee reconciled to Robert Holt.

by me Philip Caluert.

Will^m Wilkinson.

The Examinaōn of Will^m Haynes taken uppon oath by me Philip Caluert. The Depon^t sayth th^t hee was present when Will^m Wilkinson did ioyne Rob^t Holt & Christian Bonnafeild in marriage sometime in January last & further sayth not.

Septemb^r 24th 1658.

Will^m Heynes

To bee Remembred th^t on the 24th day of Septemb^r came Will^m Haynes before me Philip Caluert Esq^r & acknowledgeth himselfe to owe & stand indebted unto the L^d Prop^r in the full summe of one Thowsand pownds of Tob & Cask. If hee shall not come to the next Prouinciall Court to bee holden for this prouince att S^t Leonards the 5th day of Octob^r next, then & there to giue euidence agst Rob^t Holt, Christian Bonnefeild, Will^m Wilkinson or eyther of them th^t shall be there indicted for ffelony against the Statute 7^o Jacobi Regis agst Poligamy

Septemb^r ut Suprà.

Philip Caluert.

The Examinaōn of James Hall taken uppon oath before Josias ffendall Esq^r Leiuten^t of this prouince, The Depon^t sayth th^t hee was p^ent when Will^m Wilkinson did ioyne Robert Holt & Christian Bonnefeild in marriage & further sayth not.

(Vide Davis
Day Star
p. 153)

Octob^r 2^d

James H t Hall

The same Recogniz as Will^m Haynes hath entred, James Hall entreth into allso for himselfe

Philip Caluert

The Examinaōn of Rob^t Holt taken this 17th Septemb^r 1658 Who Sayth th^t hee was marryed sometime in January last to Christian Bonnefeild by Will^m Wilkinson parson, who tould him the s^d Holt, th^t hee was free to marry any Body, by reason of mutuall discharges from the Bond of Matrimony (as they conceiued) Guyen betweene him the s^d Rob^t Holt & Dorothy his former Wife dated 4th of Decemb^r 1654. That there was p^ent att their marriage Will^m Haynes, James Hall & his Wife, Benjamin Hamond & his Wife

Liber The Examinaōn of Christian Bonnefeild taken this 17th of Sep-
P. C. R. tembr 1658
p. 187

Who sayth as shee best remembreth shee was marryed to Rob^t Holt the Thursday before Candlemas day last by Will^m Wilkinson Parson, That shee had neuer marryed to Robert Holt, but th^t the s^d Wilkinson sayd, shee & the s^d Holt might lawfully marry, & th^t diuers times coming to him to know his Opinion in itt, telling him of her former husband & Roberts Holts former Wife. Hee still told her shee might mary to any Body by me Philip Caluert

Other Euidences were also made appeare out of the Records by M^r Attorney. And after some time spent The Jury agreeing, bring in their Verdict Endorsed on the Writt Bill a Vera for the whole.

Henry The p^{if} sheweth by his Petⁿ how th^t M^r Thomas Mathews assigned
Penny v. M^r ouer unto him a Bill of the Dēft, whereby the dēft was engaged to
Thomas deliuer att S^t Maries One Cow & calfe before the Tenth of March
Sprigge 1656. W^{ch} Cow & calfe the deft promised to pay the last spring but now denyeth to deliuer the calfe unto the p^{if}.

To w^{ch} the dēft sayth th^t That Bill is assigned ouer unto the p^{if}, wthout his consent, contrary to an Act of Assembly & therefore wrongfully sued.

But the Court being satisfied, th^t the dēft assumed to pay that Cow & Calfe in dispute the last yeare to the p^{if}, att the request of Thomas Mathews, To whom that Debt was due, & as the dēft himsele acknowledgeth. It is ordered th^t the dēft pay unto the p^{if} a Cow th^t hath not this yeare had a Calfe, & allso a Calfe fallen the last spring, besides Costs of suite.

Overzee v. To the hon^{ble} the Gour & Councell
Lewis's
Estate

The humble Petⁿ of Symon Ouerzee. Sheweth Whereas Cap^t Will^m Lewis late of Portoback deceased was indebted to yo^r Pet^r by bill one Indian Slaue 2^d Nouemb^r 1653, allso Eighteene Barrells of Indian Corne, & one thowsand pownds of Tob the 2^d Nouemb^r 1653 & noe assetts being left to satisfy the s^d Debts, yo^r Pet^r humbly prayeth th^t an Extent may issue forth agst his Land, att Nangemy for paym^t of the s^d Debts wth forbearance & charges of suite And he shall pray &c:

The Pet^r produceth the Bill of the s^d Lewis for the Tob. & Corne as is demanded in his Petⁿ, But not the Bill for the Indian Slaue. And the Court desyring to be satisfied, for th^t this demand is a Debt of long standing whither the Pet^r hath receiued any Consideraōn eyther in part or otherwise in satisfaction of his s^d demand

ffor the clearing of w^{ch} Symon Ouerzee sworne sayth th^t hee neuer receaued satisfaction of Cap^t William Lewis nor any assigne from

him, of what is demanded by him of the s^d Lewis. But sayth th^t he receaued a Bill of 2000^t Tob. belonging to the s^d Lewis, w^{ch} was assigned to him for to receauue att Accomack w^{ch} hee there left, & knoweth not whither it will bee recouered or not. Liber
P. C. R.
p. 188

As to the Indian Slaue I Job Chandler of Portoback in the prouince of Maryland do hereby testify, th^t Leiuten^t Will^m Lewis of the same place for a ualuable Consideraōn in hand receiued, was indebted by Bill unto my Brother Symon Ouerzee an Indian Slaue. Vnto the w^{ch} Bill I the s^d Chandler was a wittnes, & had the s^d Bill sometime in my possesⁿ to demand the s^d Indian Slaue. And further I doe testify, th^t the s^d Slaue was neuer deliuered or receiued: & th^t I know not of any other satisfaction giueⁿ for the s^d Slaue. The s^d Bill was dated the 2^d of Nouemb^r 1653. Wittnes my hand this 23th of August 1658.

Job Chandler.

Moreou^e I the s^d Job Chandler doe further testify th^t I had the s^d Bill of Leiuten^t Will^m Lewis in my possesⁿ after his death, wth another Bill for Corne & Tob due from the s^d Lewis, & then deliuered them both unto my Brother Ouerzee againe, as wittness my hand 23 August 1658.

Job Chandler.

Whereas It appeareth th^t the Pet^r hath a Bill of Cap^t Will^m Lewis for 2000^t Tob in his custody or possesⁿ, It is Ordered that the Pet^r returning in the s^d Bill of Two Thowsand pownds of Tob shall bee allowed his whole demand amounting to Three Thowsand Two hund^d & Eighty pownds of Tob. & if the s^d Bill be not redeliuered by the Pet^r then One thowsand Two hund^d & Eighty pownds only. And to be payd proportionably out of the Land to be extended of the s^d Cap^t Lewis att Nangemy.

This Demand being for building, & uppon Accounts & intricate. A Jury is impanelled by the Sheriffe to trye this & other Causes betwixt party & p^rty according to the euidence gyueⁿ &c: Hugh Bevin
v. Mr Symon
Ouerzee

The Juro^{rs} warned are
foremaⁿ

M ^r James Langworth	M ^r James Lindsey	Tho: Belcher
M ^r Thomas Mathewes	M ^r Roger Isham	James Veitch
M ^r Henry Adams	Rob ^t Cole	Edmund Lindsey
M ^r Richard Willan	Walter Hall	Will ^m Haynes.

The Jury retournes their Ve^rdict (Viz)

ffownd for the p^rf 529^t Tob & Cask wth Costs of suite.

(Memorand the Jury declares th^t One howse att Hebdens Poynt is not comprehended in this their Verdict).

Liber
P. C. R.
Overzee v.
Allen

To the hon^{bte} the Gou^r & Councill &c:

The humble Petⁿ of Symon Ouerzee Sheweth Whereas M^r Thomas Mathewes Attorney to M^r Will^m Allen obteyned an Order the last Court agst yo^r Pet^r by misinforma^on of a certaine summe of Tob. Yo^r Pet^r humbly intreateth th^t hee may haue a Rehearing & he shall eu^e pray &c:

p. 189 Ordered according to the Petⁿ th^t Exequu^on bee superseded in the Order last prouinciall Court (6^o Octobris) obteyned agst M^r Symon Ouerzee by M^r Thomas Mathewes Attorney to M^r Will^m Allen.

Ordered likewise th^t M^r Ouerzee putting in Bond to pay dowble dammages Is to bring his acc^on anew & be determined next Prouinciall Court.

John
Neuill v.
Marke
Pheypo

Vppon the Petⁿ of the p^{if} for charges of Attendance vppon the dēfts summons (Viz) 9 dayes att the last Prouinciall Court held att S^t Leonards in Caluert County & 2 dayes vppon summons likewise att M^r Job Chandlers, & att the dēfts suite.

It is Ordered th^t the dēft pay unto the p^{if} (att the rate of Thirty pownds of Tob p^r day for eleauen dayes, w^{ch} amounteth in the whole to) Three hund^d & Thirty pownds of Tob.

To the hon^{ble} the Gouverno^r & Councill &c:

Slye v. Jolly
et al.

The humble Petⁿ of Robert Slye humbly Sheweth Whereas Two men Seruants running away from yo^r Pet^r came to Mattapany in Patux^t about the beginning of Nouemb^r last. Where James Jolley & Will^m Hows mett wth the s^d Runawayes & there seized vppon their Two gunns & lett them goe, or as may be doubted did contriue their conueyance from thence, to the great preiudice of yo^r Pet^r. Wherefore yo^r Pet^{rs} earnest request is that the aforementioned parties may be strictly & seuerally examined by this hon^{bte} Board, what was the reason of their proceeding soe uniust & illegally in taking the gunns wth out stopping the seruants. And in case it may by any meanes appeare th^t the s^d Hows & Jolley were accessary to, or acquainted wth the designe of the afores^d Runawayes, That the hon^{bte} Board please to take it into yo^r most serious Considera^ons & afford yo^r Pet^r releife in the premises &c:

Vppon the Petⁿ of M^r Rob^t Slye

William Howes examined Sayth That hee & James Jolley being att Matapanian ffort, they there mett wth Two men, who told them first that they came from Seauerne, & then after a while that they came from Virginia, & that they were in Debt there, w^{ch} caused them to goe amongst the Indians. Soe fearing least the Indians should take away their gunns they had wth them, They presumed to take them away themselues. And that Those Two men gyuing an Indian a

white blankett that Indian conueyed them away (as this Exam^d heard from the Indians) & that they went to the King to haue his ayde, & in the meane time they fled away. Liber
P. C. R.

James Jolley Examined Sayth That the men told him they came from Seauerne, then from Virginia (as the former) yett they presumed to take away their gunns, shooting one of, & holding the other in his hand (loaded as he supposed) And they Could not bring them away downe wth them, they hauing noe Boate only a small Canow there.

Mr Hugh Stanley Sayth uppon Oath That comming to Will^m How's howse the s^d Hows told this Depon^t th^t hee & James Jolley being att Matapanian ffort, they mett wth 2 men w^{ch} had 2 guns there. W^{ch} men told them th^t first they came from Seauerne, & then from Virginia, w^{ch} because they were in two tales they supposed to be Runawayes. Yett they presumed to take away their gunns shooting one gunne of & putting it under his foote, the other he held in his hand. And th^t they profered the guns to this Depon^t being a Commis^r Hee againe willing them to keepe them & see them forth comming when demanded. p. 190

The Judgm^t of the Court is that there appeareth noe euidence yett that the Exam^{ds} had any hand in conueying them men away. They are therefore acquitted & are to returne the Gunns to Mr Slye

Proclamation

By the Leiutenant & Gou^r of Maryland.

Whereas att a Court held in Caluert County of the 24th day of Aprill last past, It was then by Proclama^on declared, That noe person or persons should be allowed to plead as Attorneys in any Court of this Prouince, but such only, as were thereto deputed under hand writing. W^{ch} Order I haue thought good hereby to Continue and Confirme. And further to auoyd all Inconueniences. I hoe hereby declare, that the Wife of Noe p^eson or p^esons residing wth in this prouince after the end of this p^ent Court (although under handwrit- ing deputed therto as afores^d) shall bee from henceforth admitted or allowed as Attorneys for their husbands in any Court of this prouince. But such persons are requyred hereby to depute or ap- poynt some other Attorney in their Roome & steede, other then their Wifes, in case they giue not their p^esonall attendance att th^t Court wherto they shall be cyted, or haue any suite depending. Gyuen att St Maries this 26th day of ffebruary 1658 Proclama-
tion as to
Attorneys

Josias ffendall

The Court adiorned by the Gouverno^e till Munday 2 Clocke after- noone.

Cap^t Thomas Cornwalleys demandeth Attatchm^t agst the Estate of Cap^t Will^m Mitchell for 1000^t Tob. Cornwaleys
v. Mitchell's
Estate

Liber Writt to the Sheriffe of S^t Maries County to attatch &c: Ret next
P. C. R. Prouinciall Court.

m^rk Cattle Thomas Gerard Esq^r Recordeth his marke for Bramley howse
of Cattle & hoggs (contrary to the mark of S^t Clem^{ts} Manno^r) Viz
ffowre de Luce on the Right eare, & underkeeld on the left eare.

Allso he recordeth his marke for Basford Manno^r (Viz) Cropd'
on both eares.

February 28

Munday 28th of ffebruary

p. 191

Pnt^e

Josias ffendall Esq ^r Gou ^r	M ^r Rob ^t Clearke	M ^r Baker Brooke
Philip Caluert Esq ^r Secr.	M ^r Job Chandler	M ^r Edw: Lloyde
Cap ^t Will ^m Stone	D ^r Luke Barber	

Cornewaleys Vnto the p^{ffs} Bill of Complaynt in Chancery. The Dēfts putt in
v. Chandler their Answers according as is demand in the s^d Bill.
and Overzee

Vid. the
Complaynt
fol. 143

To the hon^{bte} Josias ffendall Gouverno^r of Maryland. The answer
of Job Chandler to the Complaynt of Cap^t Thomas Cornewaleys in
Chancery. Humbly Sheweth That whereas he Sayth That uppon a
Tract of Land w^{ch} Coth Yardley tooke up att Portoback, & his seating
negros uppon itt Caused him to giue Creditt to the s^d Coth Yardley &
one Nathaniel Batt, w^{ch} was as the dēft hath heard, for noe more
then a Watch of small price & ualue. In answer to the aboues^d
premises the dēft sayth, That the Cred^r should haue done well to
haue made better Inquisition into his Deb^{rs} Creditt: ffor the Estate
w^{ch} the Cred^r wth the Land, Sayth caused him to trust him, or them,
did solely & properly belong unto his Mother in Law, M^{rs} Sarah
Yardley, being purchased by her Estate, & the s^d Coth Yardley by a
Bill under his hand to his s^d mother in Law before his marriage,
was not to haue any claime or interest in, during her life. And
where the p^{ff} Sayth That after an Attatchm^t was serued That the
dēft did by his instigaōn stop the proceedings of the Attatchm^t.
The w^{ch} the dēft utterly denyeth, being att th^t time att Annarundell,
& came not from thence in seauen or eight weeks after. And th^t
there were Two other Attatchm^{ts} att the same time serued, as this
Depon^t will make appeare: And th^t if the Attorney of the Complaynt
had bene as carefull of his Interest, as they to whom the other Two
Attatchm^{ts} were graunted, hee knoweth not butt hee had had satis-
faction as well as they allthough to the best of this Defend^{ts} know-
ledge, the Attatchm^{ts} were graunted about Three weekes after the
Decease of the s^d Coth Yardley, w^{ch} hee supposeth illegal, The order
hauing past agst the s^d Coth Yardley long before in his life time.
And as Concerning his second Attatchm^t, graunted unto his Attorney

by the Seauerne men, w^{ch} was for a Tweluemonth & a day, The w^{ch} Liber
Estate was not remoued after the seruing. But their Officer came P. C. R.
to this Defend^{ts} howse, wth one Cap^t Goulding, profering the s^d
Goulding & this Defend^t, th^t if they would bayle the Attatchm^t, th^t
then what was attatched should not be remoued (the Limitaōn of the
fores^d Attatchm^t considered) The s^d Goulding & this Defend^t did
giue Bond for securing the Estate, But th^t to the best of this defend^{ts}
remembrance the Estate attatched was not remoued untill a yeare & p. 192
six months after the date of the attatchm^t w^{ch} was for a yeare & a
day. And th^t when the Estate was conueyed away by Coth Sidney
out of the Prouince, it was not done wth any his consent

Job Chandler.

To the hon^{bte} the Gour^r & Chancello^r & Councell &c :

The answer of Symon Ouerzee to a Bill of Complaynt prefowed
by Cap^t Thomas Cornewaleys in Chancery.

1. Whereas Cap^t Tho : Cornewaleys hath complayned agst Symon
Ouerzee That hee was ayding & assisting to the exportaōn of the
Estate of Coth Yardley attatchd' att the suite of the s^d Cap^t Corne-
waleys for a Debt w^{ch} the s^d Ouerzee knew to be due to the s^d Corne-
waleys, w^{ch} he utterly denyeth.

2. That the s^d Ouerzee did some time past hyre a Sloope to M^{rs}
Yardley by Charter party, & shee was to Victuall & man the s^d
Sloope & pretended itt was to fetch her Crop from Portoback for 900^t
Tob. And the s^d Ouerzee deliuered the s^d Sloope att Lynne-hauen
where shee putt in for Master to obserue her Order Coth John Sidney
wth Two other Seamen (Viz) Thomas Kedger & Thomas Haruey, if
any more he remembers them not.

3. They went to Portoback. What Lading they tooke in hee did
not know. But being dryuen hither by distresse of weather, putt
in here att S^t Maries att the s^d Ouerzees howse. Where they tarryed
about fiue or six dayes, the s^d Ouerzee all th^t time being absent, &
Cap^t Cornewaleys att his owne howse att the Crosse, And whither
Cap^t Cornewaleys had notice thereof he knows not, but might if he
would. The s^d Ouerzee comming home found the Sloope still Riding
before his Landing, & Coth Sidney then a shoare att his howse. And
being asked what hee had in the Sloope? the s^d Coth answered hee had
Corne, Tob & Negroes. But whither he had any Prouision here, hee
cannot say : because hee did not know that hee needed any. And the
next day the wind being fayre the Coth returned to Virginia : and att
Lynne-hauen the s^d Ouerzee receaued his Sloope by his Attorney
according to Charter, & satisfaction to his content.

4. Lastly to the Cap^{ts} Complaynt th^t the s^d Ouerzee hath receiued
any Gwift of the s^d M^{rs} Yardley to inrich him to the preiudice of the
s^d Cap^t The s^d Ouerzee doth positiuely deny, as utterly false & untrue.

Symon Ouerzee

Liber
P. C. R. Thomas Haruey Sworne in open Court Sayth th^t M^{rs} Yardley hyred the Sloope of M^r Ouerzee att Lynne-hauen to make a uoyage for Maryland. And told this Depon^t that hee was in her seruice till he came downe againe. And comming up to Maryland hee knew nothing of the transporting the negros till Coth Sidney tooke them in. Hee imagined they were only to carry downe Tob & Corne. And comming downe Patowmeck they putt in into S^t Georges Ryuer riding in the Riuer 4 or 5 dayes, & th^t they had some Victualls att M^r Ouerzees but M^{rs} Ouerzee gaue it to them. And arryuing att Lynne Hauen the Sloope was deliuered to M^r Ouerzees Attorney there; & th^t M^{rs} Yardley payd M^r Ouerzee this Depon^{ts} hyre & M^r Ouerzee himselfe was to pay him.

p. 193 To the hon^{bte} Josias ffendall Esq^r Gouverno^r & Chancello^r of Maryland, & the Councell of State

The Reply of Thomas Cornewalleys to the answers of Job Chandler & Symon Ouerzee to a Bill of Complaint exhibited in Chancery agst the s^d Parties by the s^d Tho: Cornewaleys Humbly Sheweth

That both the s^d Answers are imperfect & little to the purpose of the Charge alleaged agst them in the Bill. Only the s^d Chandler alleageth th^t the Consideraõn mentioned in the Bill guyen for the s^d Debt was only a small watch of little ualue. The Complayn^t sayth & will be deposed was a watch wth an allarum th^t went aboue 24 howers, wth the day of the month, & cost him wth the Syluer Case 17^l Sterl. & Twenty Shillings payd downe in money. And whereas the s^d Chandler sayth th^t the Estate & Land did solely & properly belong to M^{rs} Sara Yardley, being purchased by her Estate; the s^d Coth Yardley being bownd afore marriage, not to meddle wth the same during her life. W^{ch} Bond after Marriage was of noe Validity, nor the s^d Estate nor Land commonly knowne or reputed during the s^d Coth Yardleys life, for other then his, nor did shee euer endeauo^r by such claime during her life to cleare the s^d Land or Estate by Law from his iust Debts wthin this prouince. But priuately & surreptitiously by the ayde & assistance of the defend^{ts} conueyed out of this Prouince, To w^{ch} Charge in the Complayn^{ts} Bill there is noe answer guyen by the s^d Chandler. And the s^d Ouerzee confesseth to haue lett his Sloope for 900^l Tob by Charter part, W^{ch} the Complayn^t prayeth may be produced: but neyther answereth how, where, nor in what the s^d Tob was payd, nor by whom, nor who payed the man th^t Sayled in her, wth some other particulars charged in the s^d Bill, whereby the Truth may appeare, th^t the s^d Sloope was fraudulently hyred & nothing payd. Wherefore the Complayn^t humbly prayeth th^t both the s^d Answers may bee amended & each particular Clause in the s^d Bill fully answered as it ought, & hee shall pray &c.

Ordered that sometime before the end of this Court they putt in their Answers to the s^d Reply.

It is Ordered by the Gouverno^e & Councell Thatt all Bills & ffines w^{ch} were taken att Seauerne, or other where, during the late Troubles by the then Pretenders to the Gouverm^t of this Prouince (Except for Victualls, & Sheriffs & Clerks ffees) shall be deliuered up att the next Prouinciall Court in whose hands soeuer they are.

Liber
P. C. R.
Fees during
"late
troubles"

The p^{tf} preferreth his Petⁿ by w^{ch} he claymeth an Extent agst the Land of M^r James Neale according to an Order of Court formerly obteyned agst the s^d Land by M^r Benjamin Gill for 16000ⁱ Tob & Cask or thereabouts, being payd by the s^d Gill, for the use of his sonne in Law M^r James Neale. And the p^{tf} being Admistrato^r of the s^d Gills Estate, claymeth the Benefitt of th^t Order of Court, to the end hee may be in a Capacity to receaue the Tob due from the s^d Neale unto the deceased Gill or his heyres. In answere to w^{ch} the dēft sayth th^t he had reason to pretend att least, tittle to M^r Neales Land by uertue of th^t Extent & order, whillst his l^res of Admistraōn of M^r Gills Estate were in force, w^{ch} hee supposeth now to be Vacated ffor M^r James Neale hauing sent in a letter, & letter of Attorney allso wth Two Duplicates of the same, all of one tenure & date this yeare unto the dēft (w^{ch} hee produceth & sheweth in Court) desyres according to the s^d Letter of Attorney th^t hee may bee possest wth the s^d Estates, & th^t the Pet^{rs} letters of Admistraōn be now recalled, gyuing an Account (by uertue of his s^d lettres) of his s^d Admistraōn unto the dēft.

Robert Cole
v. M^r Will^m
Bretton

p. 194

M^r William Bretton

Louing ffreind it is now some yeares since I writt to yo^u, first for want of conueyance, Secondly for th^t I had noe p^eticular busines to trouble yo^u wth all. The aryuall of this ship here, hath brought me newes by the Relaōn of the passengers th^t my Wifes ffather M^r Benjamin Gill is dead, att w^{ch} I am heartily sorry. God rest his Soule in peace. S^r my earnest desyre to yo^u is th^t yo^u will please to doe me the freindly fauo^r wth the assistance of Henry Raynor, or John Thimbleby or M^r Wade, for to seeke to recouer what may bee of his Estate, as allso my Land, & recouer satisfaction of Nathaniel Pope for the six fowling peices, & the Cattle & Seruants I left wth him, & ioyne alltogether & preserue it in the best manner th^t may bee, for my use, or the use of my Wife & Children & lett not any thing be sould or deminished till further Order from mee. And please to aduise mee by all opportunities what is done in the business. My intent is to come ouer to yo^u soe soone as I heare from yo^u how busines stands. Any letters yo^u write to mee direct them to be left wth M^r Nicholas Warren merchant in London, or wth M^r John Parker in London. And if yo^u write by way of Amsterdam direct to be left wth M^r Jan de Vogelaer or Conrad Klencke merchants & any of these merchants will send yo^r letters to mee, & pray write 3 or 4 l^res of one tenure, th^t if one be lost, another may come safe. I heare th^t

Liber
P. C. R. Robin Cole hath layd some claime to my ffathers & my Estate, w^{ch} I
conceiue hee did, supposing I & my Wife had bene dead. But god be
praysed wee are both aliue, & in health, & haue Three Children
lyuing; Soe hee now may excuse the clayming any thing & deliuer all
ouer to yo^u for my use. Pray remember my loue to M^r Thomas
Garrett & his Wife, & all the rest of my ould ffreinds there. Thus
not more, but my kind loue to yo^u, desyring not to fayle, but to use
all dilligence in this busines. I take leaue & rest

Yo^e assured freind to serue yo^u

August 2^d 1658.

James Neale

I liue Seauenty Leagues from this place, soe my Wife writes not,
shee not being here, But the first opportunity after I gett home, I
will send yo^u a letter from her

J. N.

p. 195 Bee it knowne unto all men by these p^ents th^t I James Neale Gentⁿ
haue made & ordeyned, constituted, authorized, deputed, & appoynted
& doe by these p^ents make ordeine, constitute, depute & appoynt my
Wellbeloued ffreinds William Britton Gentⁿ, John Thimblebe, John
Wade, & Henry Raynor to bee my true & lawfull Attorneys, ffor
mee & in my name steade & place, & in the name of my Welbeloued
Wife Ann Neale & in the name of my Children Ann, James &
Dorothy Neale, to ask demand, Leuy, recouer and receaue full &
intire possesⁿ of th^t Manno^r or parcell of Land, w^{ch} is rightly mine
deryued by Patent from the Right hon^{bte} Cecilius Caluert Lord
Baltimore, Lord Proprietary of the s^d Prouince of Maryland knowne
by the name of Wolleston Manno^r. As allso full power & authority
to recouer of Nathaniel Pope satisfaction for all such goods, cattle &
seruants, as I left in trust wth him, att my departure from Maryland.
And allsoe doe hereby giue full power & authority to my s^d Attorneys
for to recouer all such Lands, goods & Chattles, as were left by M^r
Beniamin Gill, father to my Wife & bequeathed to mee James Neale,
or unto my Wife or our Children or unto any one of us, as may
appeare by the last Will & Testam^t of the s^d M^r Beniamin Gill de-
ceased, Gyuing & hereby graunting unto my s^d Attorneys, or any
Two of them, full power & authority for to sue, arrest, condeme,
imprison, & impleade, any p^eson or p^esons whatsoeu^r in possesⁿ of
the s^d Estates, or any part of them, whither possessed by admⁱstra^on
or as ffeoffees in trust, or by any other power whatsoeu^e, And after
recouery of the s^d goods, lands, or cattle for me & in my name, or in
the name of my Wife & Children, or any one of us, to giue acquit-
tance or acquittances, or any other lawfull discharge, Ratifying,
confirming, affirming & allowing of any lawfull Act or thing my s^d
Attorneys, or any Two of them shall doe for the Recouery of the s^d
goods Lands & chattles. They not disposing otherwise of them,

then is expressed in this letter of Attorney, That is to say, The Cattle ^{Liber} for to putt them to bee carefully preserued & kept by them selues, or ^{P. C. R.} any others gyuing a third part of the encrease for the s^d preseruaōn: or paying other satisfaction according to the Custome of the Country. And the Land to Rent it out for some small tearme of time, as Two or Three yeares. The Tennant th^t takes it being obliged to pay the cheife Rent to the L^d Proprietary, or his Minister to th^t effect, And for the Rent allready due my s^d Attorneys may sell such part of the cattle or other goods as may amount to pay the L^d Prop^e for the s^d Cheife Rent, And in Confirmaōn of all afore conteyned in this lre of Attorney & order I haue hereunto sett my hand & Seale the 2^d day of August Año 1658.

Sealed & Signed in the p^{nce} of Vs

James Neale Se X ale.

Henry Meese

Henry Parnell

Sam: Hart

W^{ch} Letter, & letter of Attorney being read in Court, the p^{lf} p. 196 replyeth th^t it is not of any Validity, it not being signed & attested by a sworne & publick Notary.

But the Judgm^t of the Court is th^t the letter of Attorney ought to bee allowed Both the Gouverno^e & some of the Councill, & others allso p^{nt} partly knowing the hands of those who are wittnesses to the s^d letter of Attorney, Easpecially M^r Meese, & D^r Parnall: And the hand likewise of James Neale who writt the s^d letter of Attorney by some being partly knowne allso; & for seuerall other probable causes. Ordered th^t the s^d Rob^t Cole p^{lf} surrender his letters of admīstraōn & th^t M^r Bretton dēft, by uertue of his s^d lre of Attorney be admitted the Attorney of the s^d M^r James Neale.

Extent. Cecilius &c: To the Sheriffe of S^t Maries County Greeting. Wee Command yo^u, th^t by the oathes of Twelue good & lawfull men of yo^r County, yo^u cause to be extended & apprayed the Manno^r of Westbury, w^{ch} Will^m Stone Esq^r att Our Prouinciall Court held the 4th day of March 1653 att S^t Maries recouered agst Marke Pheypo, the Attorney of John Hansford, Admīstrato^r of Thomas Weston Deceased, in satisfaction of a Debt of 21600^t Tob & Cask. And the Extent & Appraysm^t w^{ch} yo^u shall thereon make cause to be signified to Our Prouinciall Court to be held the 20th day Aprill next, Vnder thy Seale, & the Seales of them by whose Oathes the s^d Inquisition thou shalt make, & haue thou there this writt. Gyuen att S^t Maries this 28th day of ffebruary 1658. Wittnes our Trusty & Wellbeloued Josias ffendall Esq^r Our Leiuten^t &c:

Stone v.
Weston's
Estate

Josias ffendall

The Court adiorned by the Gouverno^e till to morrow morning.

Liber
P. C. R.
March 1 Pnt^e

Twesday p^o March.

Josias ffendall Esq^r Gou^r M^r Robert Clearke M^r Bak : Brooke
Philip Caluert Esq^r Secr. M^r Job Chandler M^r Edw : Lloyd.
Cap^t William Stone D^r Luke Barber

Proprietary v. Harbert war^t to the Sheriffe of S^t Maries County to bring Harbert Mate to Cap^t Rich: Hobbs & allso the Passengers now in the Sloope wth him before the Gou^e & Councell wthout delay. To make answe^r to what shall be demanded on the behalfe of the L^d Prop^e.

Who appearing in Court, & being charged for th^t the Passengers went up & downe complayning for want of prouision & uictuals, yett the Gou^r being satisfyed in th^t, the s^d Harbert had sufficient prouisions in his Sloope & gaue sufficient allowance to the Passengers, as hee alleageth. Hee is dismissed.

To the hon^{bte} Court &c:

Hampstead v. Overzee p. 197 The humble Petⁿ of Will^m Hampsted Sheweth That whereas M^r Symon Ouerzee standeth indebted to yo^r Pet^r one Cow & a Calfe, w^{ch} should haue bene deliuered to him uppon his Plantaõn att S^t Maries 5 yeares agoe, & are not yett payd, being much damnifyed in the losse of their encrease, & the want of the milk for his sustenance, W^{ch} Cattle he hath often demanded of M^r Ouerzee, But hee hath not yett taken any Course to satisfy the same, allso yo^r Pet^r sheweth th^t M^r Ouerzee standeth indebted to him 100^t Tob for a barrell of Corne bought of M^r Land for the s^d M^r Ouerzees use, for w^{ch} he craueth order, & allsoe dammage for his encrease of his Cattle & want of the milk &c:

The dēft requesteth th^t the p^{lf} proue what is alleaged in his Petⁿ. Who thereuppon produced these Depos^{ns} or testimoneis

Adam Christian aged 28 yeares or thereabouts sworne & examined this 20th January 1658 Sayth That during his time of Seruice wth M^r Ouerzee, Will^m Hampsted demanded of the s^d Ouerzee Cattle due from him to the s^d Hampsted & M^r Ouerzee promised the s^d Hampsted to deliuer him his Cattle here att S^t Maries, soe soone as his Sloope came up againe from Virginia & further Sayth not.

Jurat Coraⁿ me Will^m Bretton.

Thomas Kemp Examined att the request of William Hampsted this 7th day of ffebruary 1658 Sayth, That att Linne Hauen in Virginia there was a Cow & a Cow calfe made choyce of for M^r Hampsteds use by M^r Richardson, W^{ch} Cow is since dead. Yett before th^t shee dyed, shee had another Cow calfe w^{ch} calfe M^r Ouerzee marked, but what is since become of th^t calfe, he cannot tell.

To the first Cow calfe he sayth th^t M^r Ouerzee told him, how th^t one John Stratton hath since layd claime to: affirming th^t the marke was his marke Liber
P. C. R.

Examined by me Will^m Bretton.

The Deposⁿ of Edward Good aged 25 yeares or thereabouts, Sayth That in this Depon^{ts} hearing Will^m Hampsted demanded of M^r Ouerzee Two Cowes & Two Calfes, W^{ch} hee promised to deliuer to him att the next returne of the Sloope, in S^t Georges Riuer, & this was 5 yeares agoe come next Spring & further sayth not.

Sworne & Examined before me Rob^t Taylor.

And the dēft produceth a Receipt for one Cow payd for the p^{ffs} use in Virginia & alleageth how th^t hee payd another Cow to the p^{ff} himselfe, out of his owne pen here in Maryland.

Receaued of Symon Ouerzee by my Attorney in Lin-hauen M^r Richard Richardson one Cow wth her encrease as wittnes my hand this 19 feb. 1655. p. 198
William Hampsted

Test, William Eale Theophilus Rogers.

M^r Nicholas Yowng informes the Court th^t in his presence that calfe was marked of M^r Ouerzees marke, w^{ch} was made choyce of by M^r Richardson for the p^{ffs} use. But hauing notice thereof M^r Ouerzee caused it to bee marked againe of another marke, but remembreth not what the marke was.

The Court see noe Cause of Accōn, & thereuppon nonsuite is graunted agst the p^{ff} on behalfe of the dēft.

Vppon the p^{ffs} writt of Scire facias for Three hund^d pounds of Tob, besides Two hund^d pounds of Tob charges, & costs of suite ouer & aboue the s^d Two hund^d pounds of Tob, w^{ch} the p^{ff} obteyned agst the dēft Att a Court held att Patux^t the 17th of ffeb 1657, as by the s^d Order more att large appeareth. The dēft appeares & alleageth th^t hee hath payd Two hund^d & fiuteene pounds of Tob, to Cap^t Will^m Stone in satisfaction of that Debt, W^{ch} not appearing to the Court, th^t it was payd in behalfe of the p^{ff}, & for th^t peculiar Debt; & the Dēft not able to make further prooffe John
Harwood v.
Will^m
Edwin

It is Ordered th^t the dēft pay unto the p^{ff} according to the writt, & Order of Court (Viz) Three hund^d pounds of Tob. principall, besides Two hund^d pounds of Tob for dammages, wth Costs of suite

The p^{ff} produceth the dēfts Bill for 1000^l Tob. The p^{ff} denyeth this to bee his Act & deed, But denyeth not th^t he hath a Bill out to one Catchmay (to whom allso this Bill of 1000^l Tob. is made and signed) of about 500^l Tob. yett sayth this is not his bill here produced & further th^t hee oweth noe such summe. Capt
Thomas
Cornewaleys
v. Richard
Sheppey

Liber P. C. R. Cap^t Nicholas Gwyther Sayth uppon oath, th^t the last yeare coming to New Towne, att the request of Cap^t Cornewaleys understanding th^t Richard Sheppey lyued att Rob^t Coles (his kinsman by marriage) Hee told the s^d Rob^t Cole, th^t Rich: Sheppey was indebted to Cap^t Cornewaleys in the summe of 1000^t Tob. & if soe bee hee would come to Cap^t Cornewaleys & take some course wth him about it, & pay it, hee would forbear him till next yeare; not speaking to Rich: Sheppey att all, & Rob^t Cole promised this Depon^t to goe downe to the s^d Cap^t Cornewaleys about it.

p. 199 John Abington Sayth, That hee demanded 1000^t Tob. of Richard Sheppey for his Master Thomas Cornewaleys, To w^{ch} the s^d Sheppey answered, th^t he had noe Tob att the p^{nt}, but was in suite for some w^{ch} he hoped to recouer, & th^t if the s^d Thomas Cornewaleys would forbear suing of him, hee would pay him one hogshead of Tob this yeare, & it might bee Two, & the next yeare the rest, But if he did sue him, he would pay him none, or words to this effect.

And the p^{lf} demanding of the dēft how this Bill came to be signed wth his name?

To w^{ch} he sayth th^t the s^d Catchmay tooke him into the woods & threatned him to knock out his braynes if hee did not putt his hand to a paper or Bill, w^{ch} hee did, & further th^t hee knoweth not what was in th^t paper or Bill soe signed by him, neyther whither this bee the paper or Bill hee signed.

Respited till tomorrow morning.

Abraham-son's Adminx. v. Blinkhouse Know all men by these p^{nts} th^t I ffrances Abramson the Admīstrator of my husband Cornelius Abramson doe constitute & appoynt my louing freind James Veitch my true & lawfull Attorney to demand, aske and receiue, & uppon denyall to arrest sue, implead & imprisone all or any such p^{sons} as is engaged to mee as admīstrato^e of my s^d husband, & what my s^d Attorney shall doe, I doe hereby ratify & confirme, as if I were p^{sonally} present. In wittnes whereof I haue hereunto sett my hand this 29th Nouembr 1658

Test,

ffrancis Armestrong
Thomas T Browne.

ffrances f. Abramson

To the hon^{bte} the Gouerno^e & Councell &c:

The humble Petⁿ of ffrances Abrahamson, Admīstratrix &c: Sheweth That yo^r Pet^{rs} husband sold a Plantaōn to Rob^t Blinkhorne for 6000^t Tob. (Viz) 3000^t payable in Nouembr 57, & 3000^t payable in Nouembr 58, for w^{ch} shee humbly prayeth an Order of this hon^{bte} Court, wth Charges of suite & shee shall pray &c:

Know all men by these p^{nts} That Wee Cornelius Abramson & Rob^t Blinkhorne haue Couenanted & agreed betwixt us this 20th of Aprill 1657.

Imp^r It is agreed th^t I Cornelius haue sold unto the afores^d Rob^t Blinkhorne my Plantaōn in Leonards Creek, wth the howses & edifices thereon erected & built & to the quantity of 300 Acres of Land belonging to it, as it was surueyed. Liber
P. C. R.

2. Likewise it is agreed th^t what the Carpenters was to doe to the howses for Cornelius, they are to performe for the s^d Blinkhorne in finishing of them.

3 What Apple Trees th^t are now uppon the Plantaōn, they are to remayne there: only some of them, th^t Cornelius hath a mind to, hee may haue. p. 200

4 Cornelius to stay in the howse till the first of Aprill next.

In Consideraōn hereof the s^d Rob^t Blinkhorne or his assignes is to pay unto Cornelius Abramson, or his Assignes the summe of Three Thowsand pownds of good Tob & Cask the Tenth of Nouemb^r next, & Three Thowsand pownds of good Tob & Cask the Tenth of Nouemb^r in the yeare 1658, as wittnes o^e hands the day & yeare aboue mentioned. The Tobacco to be payd in Leonards Creek.

Wittnes

Mich: Brooke.

Cornelius Abramson

Robert Blinkhorne

Vppon the Petⁿ & demand of the p^{tf} (p^e Attorat. James Veitch) for 6000^t Tob & Cask.

The dēft sayth th^t hee hath payd to the p^{tf} allready 2300^t Tob. & cask in part, of that Debt: & further th^t hee came to an agreem^t wth the p^{tf} for the remainder.

It is Ordered th^t the dēft satisfy unto the p^{tf}, the full summe of Tob, mentioned in the Agreem^t w^{ch} is six Thowsand pownds of Tob & Cask, But what Tob. the dēft can make appeare to be allready payd by him unto the p^{tf} in consideraōn of the s^d agrem^t, bee deducted out of the s^d summe. And further th^t the p^{tf} make her rights appeare, in the Secretaries Office, for the Land sold to the dēft according to the Agreem^t, & sue out her Patent for the same, & deliuer it to the dēft, paying the Charge thereof. And the dēft to pay Costs of Suite Exeqⁿ issued Vid fol. 230

Writt to the Sheriffe to impanell a Jury of Twelue men.

Sheriffe Returneth his writt & warned

Mr Thomas Righould

Robert Kedger

Nicholas Yowng

Daniel Clocker

Will^m Hewes

Thomas Kedger

James Veitch

Thomas Sowth

John Hamilton

Thomas Belcher

Rob^t Blinkhorne

Hugh Beuin.

Attorney
General v.
Holt et al.

Was Called afore the Board & to the Barre, Rob^t Holt, & Will^m Wilkinson Clarke, His L^{ps} Attorney accusing them both of ffelony, & prefers this Presentm^t on the behalfe of the L^d Prop^e.

Liber Presentm^t. The Jury doth present th^t Robert Holt of Greens
P. C. R. Poynt in S^t Georges hund^d in the County of S^t Maries Cooper, on
the 28th day of January last, att the howse of Will^m Wilkinson in S^t
Georges hund^d in the County afores^d Clerk not hauing the feare of
god before his eyes, did marry Christian Bonnefeild (Dorothy Holt
his lawfull Wife being lyuing) Contrary to the forme of the Statute
in th^t Case prouided, And agst the peace of the Lord Prop^r his
Rule & Gouverm^t.

p. 201 Likewise the Jury doth present That Will^m Wilkinson of S^t
Georges hund^d in the County of S^t Maries Clerk was accessary afore
the ffact in the felonious contryuing & Counselling the s^d marriage,
& allso in ioyning the s^d parties in marriage, after hee had diuorced
the s^d Robert Holt & Dorothy his Wife agst the peace of his L^p his
Rule & Gouverm^t as afores^d. After the Presentm^t was read, The
Prisoners alleage th^t this Jury is a uery weake Jury, to goe uppon soe
weighty a busines, (they being soe nearely concernd therein) as life
& death, And there being few others p^{ent} in Court but what are
Catholikes, w^{ch} The prisoners afore requested might not be warned
on their Jury, desyring that a Protestant Jury might passe on them,
& w^{ch} the Gouverno^e consented unto, as most reasonable.

It is Ordered th^t the Sheriffe take sufficient Bayle of Rob^t Holt for
his appearance att the next Prouinciall Court, And the Gou^eerno^r
himselfe assumed to bee M^r W^m Wilkinson's Bayle

Overzee v.
Cornwaleys

To the hon^{bte} the Gouverno^e & Councill &c:

The humble Petⁿ of Symon Ouerzee Sheweth Whereas Cap^t
Thomas Cornwaleys is indebted to yo^e Pet^e 3370^t Tob & Cask for
goods deliuered by his Store-keeper uppon a note of Creditt sent
by the s^d Cap^t dat, Decembr 5th 1657, yo^e Pet^e therfore humbly
prayeth an order for the s^d Debt, & damages susteyned for want of
the Tob to compleate his freight, wth charges of suite. And he shall
pray &c:

Vid. fol. To w^{ch} demand & Petⁿ of the p^{tf}, The dēft sayth, th^t he sent his
230 noate (uppon request) for certaine goods mentioned in his noate, &
to a certaine summe, And how th^t the Debt ought to haue been de-
manded of the party to whom the s^d goods were deliuered. And th^t
hee assumed to pay soe far, as his noate of Creditt extended, & is not
obliged to pay further.

This Cause is putt a Jury war^t to the Sheriffe for Jury.

Sheriffe Returnes his writt & warned

fforeman

M ^r Thomas Hinson,	M ^r Henry Adams,	M ^r Philip Land
M ^r James Lindsey,	M ^r Tho: Belcher,	Cap ^t Sampson Waring
M ^r Tho: Ringhould,	M ^r Richard Willan	M ^r Tho: Sowth
M ^r James Langworth	M ^r William Boreman	M ^r James Veitch

The Jury agreeing Returnes their Verdit (Viz) ffound for the p^{lf} Two Thowsand one hund^d & Twenty pownds of Tob. & Cask wth Costs of suite. The Remynd^e of the demand the p^{lf} is left to recou^e of the principall Credito^e to whom the goods were deliuered & receiued.

His L^{ps} Attorney chargeth M^r Symon Ouerzee wth Theftboate & requesteth of the Board, th^t the s^d Ouerzee bee brought to a Tryall for the same

Attorney
General v.
Overzee
Vid. fol. 252

Daniel Clocker sayth uppon Oath in open Court How th^t com^{ing} ouer from Virginia to his owne howse, M^r Land came to him, & told him, th^t hee fownd M^r Ouerzee more moderate then hee was. And desyred him to goe to Ouerzee himselfe, & trye if hee could take up the busines concerning his Wife, And comming to M^r Ouerzee, & relating the busines att large of his Wife, M^r Ouerzee told this Depon^t (bringing out a List of his goods ualued by himselfe att 5000^t Tob) th^t hee was much^d damnified. This Depon^t profered him first 1000^t Tob, Yett att last they both agreed for 3000^t Tob. to the intent hee might bring of his Wife, & th^t shee might bee assured of her life, w^{ch} hee promised to doe. And to th^t intent M^r Ouerzee receaued Bills, & some small accounts (euen according to his owne reckoning) of this Depon^t to the ualue of 3000^t Tob. And since th^t the busines is come to a full tryall, & nothing effected by M^r Ouerzee according to his Condi^{con} & promise wth this Depon^t, hee Demanded of M^r Ouerzee his Bills back againe & M^r Ouerzee refused soe to doe, saying he would giue him none. M^r Philip Land sworne Sayth th^t being wth M^r Ouerzee, the s^d M^r Ouerzee told this Depon^t, That hee would be contented to stand to some losse, prouided hee might haue his goods againe: & uppon th^t considera^{on} hee was willing, & would be contented to forfeite his Recogniz it being but a Thowsand pownds of Tob. Whereuppon this Depon^t went the next day to Goodman Clockers, & told him the s^d Clocker th^t if hee would goe to M^r Ouerzee, hee beleiued th^t hee might easily now compownd the busines wth him, & not bring his Wife uppon the stage. ffor M^r Ourzee did not desyre to prosecute, soe hee might haue his goods againe, though wth some losse, & this Depon^t accompanied the s^d Clocker from his howse towards M^r Ouerzee's as far as the White howse (S^t Thomas's) & further sayth not.

M^r Ourzee denyeth what hee is charged wth, & sayth th^t the Bills hee receaued of Daniel Clocker, were receaued by him uppon another account, & not uppon any such account, as is alleaged. Desyring the Court to understand th^t what informa^{on} the s^d Clocker hath gyuen or made agst him, in this busines, to haue suggested the same to an ill intent out of meere malice & spleene.

Liber P. C. R. The Judgm^t of the Court is, That they see or find noe malice in the deliury of this busines, & therefore the testimony of him the s^d Clocker is good & ought to bee soe taken, & accepted.

Respited till next Prouinciall Court.

Henry Hooper v. Tobias Norton The pthf producing his Bill in Chancery agst the def^t Touching a Seru^t &c:

It is ordered th^t this Cause be remanded to the next County Court, in Caluert County (the Commis^{es} in th^t County hauing formerly bene knowing in this suite) to be there heard & determined.

Overzee v. Abrahall p. 203 This Bill bindeth me Richard Abrall my heyres Executo^{rs} & admistrato^{rs} to pay or cause to be payd unto Symon Ouerzee or his Assignes the summe of Twenty Three Thowsand one hund^d Eighty & fowre pownds of Tob & Cask w^{ch} Tob proceeds by Two Bills due to the s^d Ouerzee the last yeare of Two Thowsand One hund^d & ninety pownds of Tob in Cask & for a man seru^{ant} now bought of him & for one hund^d bushells of salt deliuered to mee & Three thousand pownds of drye Ginger amounted to the fores^d summe of Twenty Three Thowsand one hund^d Eighty & fowre pownds of Tob & Cask payable uppon all demands. And for the true p^eformance of the aboue paym^t I doe & haue by these p^ents deliuer, & doe putt into the possesⁿ of the s^d Symon Ouerzee all my Crop now hanging & allready struck in Cask. Hee the s^d Ouerzee gyuing mee a iust account of the weight. Allso I doe bind ouer to him all my hows-holdstufte & moueables (none excepted) easpecially all those expressed in an Inuentory bearing date wth these p^ents. In wittnes hereof I haue hereunto sett my hand the 7th of Nouemb^r 1656.

Richard Abrahall

Wittnes Peter Malbone Nicholas Yowng

June 3^d 1657

Acknowledged in Court by mee Will^m Edwards on the behalfe of M^r Richard Abrahall the s^d Edwards being impowred to acknowledge the same in March Court last, but the Court was then adiorned June 20th 1657.

Tho: Brereton.

Recorded in the Records for the Quarter Court att James Citty Endorsed 10th feb. 1657.

Tho: Brereton.

Receaued uppon this Bill thee summe of Tenne Thowsand pownds of Tob. & Cask by mee

Symon Ouerzee

Whereas Symon Ouerzee hath produced in Court the Bill or specialty of Richard Abrahall for 23194^t Tob. & Cask. W^{ch} s^d Abrahall being fled out of this Prouince, & his Estate under At-

tatchm^t euer since the 26th day of July last, att the request of the s^d Ouerzee for 14000^t Tob.

Liber
P. C. R.
Vid. fol. 72

It is Ordered th^t the s^d Ouerzee (the s^d Abrahall being fled out of the prouince & noe Attorney appearing in his behalfe to make answeere to the s^d demand) shall haue out of the Estate soe attatched ffowrteene Thowsand pownds of Tob. as is demanded.

Know all men by these p^ents th^t I Will^m Mitchell haue constituted authorized & appoynted Cap^t Will^m Stone my true & lawfull Attorney to arrest impleade & prosecute Will^m Boareman Plant^r for a Debt from him to mee due by specialty. And to impower constitute, ordaine & make one or more Attorney or Attorneys if hee shall thinke fitt, hereby ratifying & confirming whatsoeu^e my s^d Attorney shall doe in the premises as fully to all intents & purposes, as if the same had bene done by my selfe. In wittnes whereof I haue hereunto sett my hand and Seale this 29th day of January 1657

Stone v.
Boreman

p. 204

Will^m Mitchell * Seale.

Sealed & deliu^ed in the p^ence of

Thomas ffowkes Thomas Seamor

Whereas it appeareth to this Court th^t Will^m Boareman dēft is indebted to Cap^t Will^m Mitchell by Bill Two Thowsand one hund^d & Sixty pownds Tob & cask payable uppon demand, The s^d Bill bearing date 13th of Octob^r 1656. And whereas Cap^t Will^m Stone by uertue of a lrē of Attorney from the s^d Mitchell hath sued the s^d Boreman for the whole debt, The s^d Boareman produced this Receipt for Eight hund^d & fifty pownds of Tob allready satisfyed of th^t Debt. (Viz)

14th January 1658.

Receaued of Will^m Boareman the summe of six hund^d pownds of Tob & cask, in part of a Bill now in Cap^t Will^m Stones hand from the fores^d Boareman to Cap^t Will^m Mitchell & one hogge att the price of Two hund^d & fifty pownds of Tob.

Will^m Mitchell

Wittnesses Robert Thimbleby Will^m W. C. Clapon.

And for the Remaynder of the s^d Bill, being one Thowsand Three hund^d & Ten pownds, the s^d Boareman confeseth Judgm^t for the same, in open Court to Cap^t Will^m Stone Attorney of Cap^t Will^m Mitchall as afores^d & soe Ordered to bee payd.

The p^lf, by his Petⁿ demandeth Order for 1000^l Tob agst the dēft, attatched in the hands of Thomas Mitchell There being much more due unto him by sundry specialties under the dēfts hand, then what is here attatched.

Capt
Thomas
Cornewaleys
v. Cap^t
William
Mitchell

The dēft not appearing eyther by himselfe or Attorney, And it being proued in Court, That the Dēfts Attorney Cap^t Thimbleby had

Liber notice gyuen him of this Attatchm^t & demand. It is Ordered th^t
 P. C. R. the p^{tf} haue Judgm^t for the s^d Thowsand pownds of Tob formerly
 Vid. fol. 306 attatched in the hands of Thomas Mitchell (it being the Estate of
 & 307 Cap^t Will^m Mitchell dēft) according to his s^d Petⁿ & demand.

Gerard v. Memoranduⁿ whereas Thomas Gerard Esq^r commenced suite agst
 Willan M^r Richard Willan, & M^r James Lindsey concerning his interest to
 Vid. fol. 123 Snowhill. And Philip Caluert Esq^r concerned in th^t suite (the busi-
 supra & fol. nes being long time discussed) Appealing to his L^{op}. Their pleas &
 222 infra & allegaōns are not here inserted (as it ought but are referred to an-
 fol. 370 other place hereafter: By reason the busines being to be sent home
 as afores^d, Both parties concernd bee p^{ent} att the drawing up thereof.

March 2 Pnt^e
 p. 205

Wednesday 2^d March.

Josias ffendall Esq^r Gou^r. M^r Rob^t Clearke, M^r Baker Brooke.
 Philiu Caluert Esq^r Sec^r. D^r Luke Barber, M^r Edw. Lloyd.
 Cap^t Will^m Stone,

To the hon^{bte} the Gouerno^r & Councell &c:

Hamilton, The humble Petⁿ of John Hamilton in behalfe of the Orphanes of
 Guardian, Richard More Deceased. Humbly Sheweth That yo^r Pet^r being to
 v. Waring the s^d Orphanes of the s^d Richard More deceased Gwardiaⁿ & hauing
 the stock of the s^d Orphans in his possesⁿ One Sampson Waring
 Attorney for John Browne brought a specialty of the s^d Mores into
 Court. And obteyning Order uppon the same Serued an Exequuōn
 uppon Two of the s^d Orphanes Cattle (yo^r Pet^r not knowing thereof)
 to the great dammage of the s^d Orphanes.

In tender consideraōn whereof yo^r Pet^r humbly prayeth yo^r hon^{rs}
 to reuoake the s^d Order soe surreptitiously obteyned as afores^d, &
 Order th^t the s^d Waring restore the s^d cattle to yo^r Pet^r & he shall
 pray &c:

The p^{tf} not making appeare to the Court what is alleaged in his
 Vid. fol. 215 Petⁿ & according to the Order the Last Court, not prouing th^t the
 Writt of Cattle Executed, were att any time afore sett apart for the use of the
 Exeqⁿ Orphanes as hee was obliged to doe It is Ordered th^t the p^{tf} be
 issued nonsuited & pay charges of suite, amounting to Three hund^d & three-
 according to the orde 9 score pownds of Tob.
 March to the Sher. of Cal. County
 Vid. fol. 224
 Re Wright's Land

To the hon^{bte} the Gouerno^r & Councell &c:

The humble Petⁿ of Ismàèl Wright Sheweth Whereas yo^r Pet^r
 entred uppon a Plantaōn by Vertue of an Extent uppon the s^d
 Plantaōn for Rent due to the Lord Prop^r by Articles from his L^{ps}
 Attorney graill the last of Octob^r 1653, wth promise of a Lease to bee
 graunted by the s^d Attorney, w^{ch} was neuer p^eformed. But by

Order of Court yo^r Pet^r was outed by the Sheriffe, & to his great preiudice forced to accept a new Tytle from M^r Edward Lloyd of the s^d Land purchased by him from Thomas Greene, who had married the Widow of Nicholas Haruey whose Land it was formerly. And further Sheweth that since th^t time & in this p^ent yeare yo^r Pet^r had five hogsheads of Tob Leauey by way of Execuōn for his L^{ps} Rents notwthstanding the s^d Articles were neuer p^eformed, & it is held of M^r Lloyd, & not his L^p as more att large (relaōn to the s^d Articles & writings being had) may appeare.

yo^r Pet^r therefore humbly moueth this hon^{ble} Court to take the premises into their Consideraōn, & declare whither hee ought to be chargeable wth the s^d Land, in order to the s^d Articles or whither hee ought to hold it by Graunt from M^r Edward Lloyd. And he shall &c:

Vppon the Petⁿ afores^d it is Ordered That when the Arreares of Rent to the Lord Proprietary bee payd & satisfyed according to th^t former Order for Extent, Then the Bond betweene the Pet^r & M^r Thomas Hatton his L^{ps} then Attorney Graffl Concerning the Extent be deliuered in, by M^r Secretary. And It is further Ordered th^t the heyre of the s^d Haruey pay his proportion of the arreares & Rent.

Judgm^t is Graunted to the p^{tf} agst the dēft for Three hund^d & Eighteene pownds of Tob & Cask.

The Dēft being lawfully summoned, & not appearing according to the writt.

Mr Willm
Bretton v.
Walter
Smith
p. 206
Vid. fol. 142

The p^{tf} alleageth th^t hee deliuered to the dēft a man Seruant, in Consideraōn th^t the dēft should nurse the p^{tf}s Child. And further th^t the dēft was the occasion of his seruants goeing away in th^t time of seruice, & cause of his not working as was exspected; hee hauing by this meanes lost the Crop of his s^d seru^t & satisfyed the dēft otherwise for the nursing of his Child.

Josias
ffendall v.
Michaël
Baysey
Vid. depos^{ns}
fol. 137

The dēft (p^r Attornat) sayth th^t hee did not counsell the seruant to goe away, & absent himselfe: But confesseth th^t hee promised to goe along wth the seruant to M^r Prestons, & see whither the s^d Seruant could obtaine his freedome or noe, w^{ch} (as he sayd) hee hoped to gett att Court.

The p^{tf} replyeth th^t the dēft ought to haue defended his owne Tytle & the p^{tf}s Tytle allso to the seruant att Court, w^{ch} hee did not, but quite contrary, neuer sending after him, but suffering him to loyter to & againe.

The Judgm^t of the Court is th^t the dēft shall make good the seruants Crop to the p^{tf}, according to their agreem^t for Twelue hunds pownds of Tobacco & Cask.

Exeqⁿ
issued
vid. fol. 322

Liber
P. C. R.
Cornwaleys
v. Mace

Came Cloues Mace & acknowledgeth Judgm^t in open Court to Cap^t Thomas Cornwaleys for One thowsand fowre hund^d & Eighteene pownds of Tob & Cask. Being the Remainder of a Bill of one Thowsand Eight hund^d fuety & one pownds of Tob, wherein the s^d Cloues Mace & Thomas Tunnell were ioyntly bownd to the s^d Cap^t Thomas Cornwaleys bearing date p^o Septemb^r 1656.

To the hon^{bte} the Gouverno^r & Councell of State &c:

Cornwaleys
v. Burdett

The humble Petⁿ of Thomas Cornwaleys Sheweth That whereas Thomas Burditt stands indebted to yo^r Pet^r by Bill and account 1670^t Tob, And for non paym^t was arrested att yo^r Pet^{rs} suite to this Court. And was here the first day, but is since gone away to Accomack, wth out gyuing yo^r Pet^r satisfaction, or making any Attorney th^t yo^r Pet^r can heare of, to appeare for him. Wherefore yo^r Pet^r humbly prayes Judgm^t agst the s^d Burdett for his Debt, & contempt in goeing away before the s^d suite was called. And hee shall pray &c:

p. 207
Vid. fol. 268

Vppon the Petⁿ of the p^{tf} for 1670^t Tob. &c: The dēft appearing the first day of the Court only, & then absenting himselfe, & goeing out of the prouince, as is alleaged, & being lawfully summoned, & not constituting an Attorney. It is Ordered th^t the p^{tf} haue Judgm^t agst the dēft for fueteene hund^d pownds of Tob in Cask (as is conteyned in the s^d Bill) And because that Bill now gyuen up in Court is passed uppon other Consideraōn It is to be Recorded: & the p^{tf} to haue a Copey thereof.

This Bill bindeth mee Thomas Burdett my heyres Executo^{rs} ad^mistrato^{rs} and Assignes to pay or cause to be payd unto Thomas Cornwaleys or his assignes, the full & iust quantity of fueteene hundred pownds of good sownd large & bright Leafe Tob & cask att one entire paym^t in Patux^t Riuer, att or before the Tenth of Nouemb^r next ensuing the date hereof. And yearely att the ffeast of the Natiuity of Our Lord & Sauio^r one Barrell of Sheld Corne & Two Poultry for & in Consideraōn of a Parcell of Land bought of the s^d Thomas Cornwaleys. Wittnes my hand this 17th of Decemb^r 1657

Thomas Burditt

Test Rich: Hotchkeyes John Raynoulds.

William
Hewes v.
Mr Robert
Cleerke

Vppon the demand of the p^{tf} for 407^t Tob. It being for worke uppon the howse att Greens Rest, alleaging th^t the dēft employed him therein.

The dēft sayth th^t att th^t time when the p^{tf} wrought there, hee was not in a Capacity to imploy him, neyther did hee promise him paym^t but sayth how th^t hee ought to bee satisfied by the Ouerseers of his Wife deceased, whose howse it then was, & did not att th^t time any wayes apperteine to him. W^{ch} the Ouerseers likewise refusing to satisfy, till the suite betwixt them concerning that howse

bee decyded It is Ordered that the p^{tf} haue Extent agst the Land whereon hee wrought att Greens Rest for ffowre hund^d & seauen p^{ownds} of Tob, as is demanded. Liber
P. C. R.

To the hon^{bte} the Leiuten^t & Councell of Maryland &c:

Hewes v.
Stone

The humble Petⁿ of Will^m Hewes Sheweth That from the Seauenth day of ffebruary 1651 untill the 22th day of Aprill yo^r Pet^r imployed his whole labo^e in setting up the Wind-Mill att S^t Maries, & tending & looking to, & grinding in it after it was soe sett up by him. To the performance of w^{ch} worke yo^r Pet^r was encouraged by Cap^t Will^m Stone, the then Gouverno^r of this Prouince who hyred yo^r Pet^r to th^t intent, promising him due paym^t for his s^d labo^e about the same imployed. And further yo^r Pet^r sheweth how th^t the s^d Cap^t Stone payed all the other workemen & defrayed what other charges incurred. And yo^r Pet^r not only remaines unsatisfyed, but left to seeke his due, by course of Law much to his hinderance hee hauing bene a long time out of his Tob, & suffered much for want thereof, hauing or possessing little but what hee geets by his hard labo^r & industry. And though Cap^t Stone hath alleaged th^t the Mill did belong to Cap^t Gibbons, & th^t hee hath gyuen an account of the s^d Gibbons Estate, & thereuppon discharged, yett hee doth conceiue th^t noe stoppage can be putt thereby uppon his labo^r, when as Cap^t Stone himselfe only hyred him, sett him on worke, & promised him paym^t for the same: neyther did yo^e Pet^e make or mention any bargaine att all wth Cap^t Gibbons att his comming up hither concerning th^t mill, but wholly relyed & depended on Cap^t Stones paym^t, by uertue of his s^d promise & engagem^t wth him p. 208

His humble request is th^t this hon^{bte} Court will consider of the premises & allow him satisfaction according to equity, & hee shall pray &c:

The dēft denyeth th^t he engaged to make the p^{tf} satisfaction for his labo^r, only as imployd by Cap^t Gibbons. & the p^{tf} not making prooffe of what is alleaged in his Petⁿ, concerning such engagem^t made wth the dēft. The dēft craues an nonsuite w^{ch} was Graunted.

The p^{tf} being called, & not appearing to prosecute, The dēft craueth a Nonsuite, W^{ch} was graunted wth Costs of suite. Martin Kirk
v. Cap^t
Nicholas
Gwyther

Vppon this suite, w^{ch} was respited the last Court.

Barnaby
Jackson v.
Cap^t Will^m
Stone

Marke Pheypo sworne sayth, th^t soone after this Steare now in question was killed, this Depon^t & the p^{tf}, being att the dēfts howse, they ueiwd the hide of the Steare then killed (because this Depon^t then wanted a Steare of his owne) And further th^t hee then told the dēft, th^t th^t Steare was none of his. And the p^{tf} instantly replied

Liber saying. But it is mine. And the dēft answered againe, If it be yo^{rs},
P. C. R. yo^u must be payd for it.

The ptf not being able to proue in Court, th^t The Steare killed att dēfts howse, was of his owne proper marke, or his owne steare. The dēft Craueth a Nonsuite, which was graunted

Mr Symon Vppon the Petⁿ of the dēft, & Respite the last Court.
Ouerzee v. Will^m Harper att the request of the pffe sworne sayth, That the
Mrs Jane last Spring being att M^{rs} Eltonheads, hee heard a Cow Lowing after
Eltonhead her calfe; & M^{rs} Eltonheads seruants told him th^t that Cow w^{ch}
Vid. fol. 132 lowed was M^r Ouerzees Cowe & th^t shee had lost her calfe.
p. 209

The Gouverno^r allso declareth to the Court, That about this time two yeare, there came Two Cowes to M^{rs} Eltonheads, a Browne Cow, & a Red Cow.

The Deposⁿ of Alexander Laremore aged 27 yeares or thereabouts Sworne & examined this 17th of January 1658, Sayth, That M^r Ouerzee had Two Cowes & one Calfe, w^{ch} came wth M^{rs} Eltonheads cattle to her howse. One of w^{ch} Cowes (w^{ch} was the dame of the calfe) as swamped in March before M^r Ouerzees man came to enquyre after the s^d Cowes. M^r Ouerzees man comming in Aprill following to enquyre after them. And enquiring for them of this Depon^t, Hee shewed him one of the Cowes, & told him the other was dead. And M^r Ouerzees man desyred this Depon^t to shew him the Dead Cow. And this Depon^t told him, hee would shew him her Bones, but her flesh & skin was perished, & further sayth not.

Jurat die & ano Supraditt Coram Henry Coursey, ffran: Anketill.

The Deposⁿ of Nicholas Lurkey aged 24 yeares or thereabouts Sayth, That one of M^r Ouerzees cowes was swamped & dead before th^t his man came to demand them, And further th^t there was neuer a Calfe dead in M^r Harrises Tob. howse belonging to the Cow of M^r Ouerzee, & that there was neuer a Cow fetcht from thence by himsele, or any of M^{rs} Eltonheads poeple, & further Sayth not
Jurat dice & año Supradict Coram Henry Coursey, ffrancis Anketill

John Hollinsworth aged 20 yeares or thereabouts Jurat idem uerbatim quod Nicholas Lurkey ut suprà.

Jurat Coraⁿ Henry Coursey ff^eancis Anketill.

The Deposⁿ of Thomas Walton aged 26 yeares or thereabouts Sworne & Examined this 17th day of January 1658 Sayth That hee hath bene a Seruant unto M^r Richard Harrise, & M^r Henry Coursey euer since about Aprill 1656, & th^t hee neuer knew of M^{rs} Eltonhead, or any belonging to her, euer fetch or carry away any Cowe belonging to M^r Ouerzee, or any Body else. And whereas there hath bene a report, th^t the s^d M^r Harrise did take up a Calfe, & tyed it in his

Tob. howse w^{ch} belonged to M^r Ouerzee, this Depon^t doth uppon Liber
P. C. R.
his oath declare That there neuer was any Calfe taken up by M^r Harrise, or any belonging to him, relating to M^r Ouerzee or any Body else. But th^t the s^d M^r Harrise had a heyfer about two yeares of age th^t brought a Calfe, th^t fell about february 1656, & the s^d heyfer not hauing milke sufficient to bring up her calfe, hee this Depon^t & the s^d M^r Harrise feeding the s^d Calfe wth Mush, & using a Ragge for the better feeding it, the s^d Calfe swallowed downe the ragge & chockd' it selfe, & further sayth not.

Jurat Cora^m Hen: Coursey, ffran: Anketill

Edward Dexter aged 21 yeares or thereabouts sworne & examined p. 210
the day aboue speciefyed Sayth That hee hath beene a seruant unto M^r Rich: Harrise & M^r Henry Coursey euer since January 1654, & further th^t what Thomas Walton hath sworne touching M^{rs} Eltonhead & M^r Ouerzee, & then M^r Harrises' Cattle is truth, & further Sayth not.

Jurat Cora^m Henry Coursey, ffra: Anketill

The p^{lf} sayth, th^t the dēft milking his Cow, weakened his Cow, by w^{ch} meanes shee dyed, & further th^t the cattle were deteyned by the dēft, untill the p^{lf} should pay a payre of shooes to her Cowkeeper, & Corne for the Cattles keeping. To w^{ch} the dēft answereth th^t That Cow w^{ch} is lyuing is the Cow th^t was milked, being milked in the Corne field wthin the fence, & might goe out when shee pleased. It is Ordered th^t the dēft deliuer to the p^{lf} th^t Cow w^{ch} is now lyuing att her howse, & another yeareling heifer

George Mee petitioneth the Court for Judgm^t agst the Estate of Mee v.
Bents
Will^m Bents for 900^t Tob. formerly attatched during the time of Cap^t Will^m Stones gouernm^t.

It is Ordered (the s^d Bents neuer as yett appearing, as is proued & attested in Court) That the Pet^r haue Judgm^t for nine hund^d pownds of Tob & Cask, attatched in the hands of Will^m Lucas, & Marke Peypo, according to his s^d Petⁿ & demand.

To the hon^{bte} the Gouverno^r & Councell &c:

Overzee v.
Lindsey

The humble Petⁿ of Symon Ouerzee Sheweth That M^r James Lindsey Adm^{istrato}r to Symon Antonio hauing procured his letter of Adm^{istrao}n after yo^r Pet^r had entred a Caueat for Adm^{istrao}n (as by the Record may appeare) & the s^d Antonio being indebted unto yo^r Pet^r 1200^t Tob & Cask 19th Nouemb^r 1656. Yo^r Pet^r Vid. fol. 263
humbly intreateth th^t hee may haue Order for paym^t of the s^d Debt, wth forbearance & charges of suite in the first place, & hee shall pray &c:

This Cause Respited till next Prou: Court.

Liber
P. C. R. An Acc^t of M^r Job Chandler preferred to the Court agst the
Chandler v. Administrato^r of Symon Antonio.
Lindsey Symon Antonio Deb^r to goods Receaued aboard Cap^t Tilghman

March 15 th 1655	Tob & Cask.
By 3 p ^e ffrench heeld shooes att 30 ^t	090 ^t
By 2 p ^e woemens shooes att 26 ^t	052
By 6 ^t of Castile soape att 8 ^t	048
By 1300 6 ^d Nayles	052
By 3 doz. of gould buttons & 8 skeynes of silk	032
	<hr/> 274

More his Estate Deb^r January 1^o 1656.

p ^e an old Holland sheete to bury him in	050
p. 211 p ^e A dinner att his funerall	050
p ^e 2 ^t powder spent att his funerall	024

124

274

398

This Account is allowed by the Court, And Ordered th^t the Administrato^e satisfy Three hund^d ninety Eight pownds of Tob. & Cask to the Demand^t.

Corne- The dēfts alleaging th^t they haue sufficiently answered the p^lfs
waleys v. Bill in Chancery, & therefore need not putt in their answere to his
Chandler and Overzee Reply, as it was Ordered.

The p^lf thereuppon, producing the Bill of Coth ffrancis Yardley & Nathaniell Batts for 5000^t Tob or Two Indian Slaues, dated 9th of Decemb^r 1653, demands an Extent uppon the Land of the s^d Coth ffrancis Yardley att Portoback, w^{ch} the dēfts are now possēd wth.

To w^{ch} demand the dēfts alleage th^t that Land att Portoback was gyuen unto the dēfts by the s^d Coth Yardleys Wife deceased & did not (as is pretended) belong to him the s^d Yardley, & therefore not lyable to pay or satisfy his Debts, But it appearing to the Board by the Records of this Prouince th^t That Land was the s^d Yardleys Land. It is thereuppon Ordered th^t the s^d Land bee extended soe far forth as to pay the p^lfs Debt amounting to fīue Thowsand pownds of Tob & Cask. Writt Extent. Vid. fol. 218.

Cole v. Know all men by these p^ents th^t I Martin Cole of Virginia Plant^r
Pryor doe make, constitute & ordaine my louing ffreind Cap^t Nicholas Gwyther of S^t Hieroms in the prouince of Maryland my sole &

lawfull Attorney, to arrest, sue, impleade, or imprison Thomas Pryor in my name for certaine Debts, w^{ch} Orders of Court hath past agst mee

Liber
P. C. R.

Wittnes Wilkes Maunder

Martin X Cole

The p^{tf} (p^e Attornat Nicholas Gwyther) demandeth of the dēft One Thowsand sixty seauen pownds of Tob, wth dammages, according to Two seuerall Orders of Court in Virginia appearing Viz 23th Nouemb^r 1658, for seuen hund^d & seauenteene pownds of Tob. wth Court Charges. Allso another Order for Three hund^d & fifty pownds of Tob. The s^d Orders & dammages accruing for th^t the p^{tf} transported into this Prouince the Dēft, out of Virginia, hee being indebted there.

Ordered th^t the dēfts pay unto the p^{tf} according to his demand One thowsand sixty seauen pownds of Tob, wth Costs of suite & Likewise satisfy all such dammages as shall afterwards bee made appeare w^{ch} the p^{tf} shall incurre by means of his the dēfts s^d transport hither

To this demand being for 3000^t Tob, The dēft sayth th^t this Debt for w^{ch} hee is arrested is a iudgm^t of Court obteyned agst the dēft in Virginia by One M^r Heale, & assigned ouer to the p^{tf} by the s^d Heale, wthout his consent or knowledge, contrary to an Act of Assembly in this prouince, w^{ch} Judgm^t is in nature of a specialty; & if the assigm^t were allowed yett notwthstanding the p^{tf} sueth him in a wrong accōn.

Nicholas
Morris v.
Gregory
Marrell

p. 212

The p^{tf} not appearing eyther by himselfe or Attorney, Ordered th^t the p^{tf} be nonsuited & pay Costs of suite to the dēft.

Are called afore the Board & to the Barre John Williams, Mary Williams & Mary Clocker conuicted of ffelony, And being demanded what they can alleage why Judgm^t of Death should not bee pronounced agst them, Who alleaging nothing, Craue mercy, The Gouverno^r pronounced sentence, Ordering the Sheriffe to returne the s^d Prisoners from whence they came, & thence to Exequution, & then to hang by the neck till they bee Dead.

Attorney
General v.
Williams &
Clocker

Was Called to the Barre Thomas Courtney conuicted of Petite Larceny.

Attorney
General v.
Courtney

Ordered th^t the Sheriffe take the s^d Thomas Courtney, & forth wth giue him Thirty stripes. Writt ad Exequend^m.

D^r Luke Barber petitioneth the Court for a writt of Partition of the Plantaōn now in the occupaōn of Walter Hall, w^{ch} hee hath formerly bought, & payd for, W^{ch} was Graunted.

Barber v.
Fox

Liber
P. C. R.
Writt Parti-
tion Ret:
Vid. fol. 260

Cæcilius &c: To Nicholas Gwyther Gentⁿ Sheriffe of the County of S^t Maries. Whereas wee are gyuen to understand th^t Luke Barber Esq^r of New-Towne in the County of S^t Maries, & Henry the sonne & heyre of Henry ffox of the same place & County afores^d doe Joyntly possesse the Moity of a ffreehold late in the possesⁿ of John Lewger, And whereas the s^d Henry by his Guardian Walter Hall doth oppose the Partition betweene them to be made uniustly as is affirmed. Wee therefore Command yo^u That taking wth yo^u Twelue lawfull men of the Neighborhood by whom the truth of the thing may the better be knowne, yo^u goe in proper person to the Tenem^t wth itts Appurtenances afores^d, & there in the presences of the p^rties afores^d by yo^u to bee forwarnd^r if they will bee present, That yo^u diuide & seuer the afores^d Tenem^t, wth itts appurtenances by the Oathes by the good & lawfull men afores^d hauing respect to the true ualue thereof into Two equall parts, One part thereof deliuer to the s^d Luke Barber & the other to the s^d Walter Hall, for the use of the s^d Henry ffox. And the Partitition soe made under thy Seale & the Seales of them by whose oathes the s^d Partition thou shalt make. Certify unto Our Prouinciall Court by the 20th day of Aprill next, & haue thou there this writt. Gyuen att S^t Maries this 2d day of March 1658. Witness Our Trusty & welbeloued Josias ffendall Esq^r Our Leiuten^t &c:

Josias ffendall.

p. 213
Attorneys to
Pay Costs

Whereas Diuers Inhabitants here, haue hitherto undertaken to plead as Attorneys att the Courts in this Prouince, imagining themselves (if cast in their suite) not chargeable wth dammages &c: It is therefore ordered for the future th^t whatsoever Attorney or Attorneys pleading as afores^d shall happen to bee cast, in the suite soe undertaken by him or them, shall pay & satisfy on the behalfe of him or them, for whom hee or they sues or answeres (if the party bee not resident or dwelling wthin this Prouince) all Costs, Debt, or dammage hee or they shall bee cast in, to the p^rty greiued or sued.

The Court adiorned by the Gour^r till to morrow morning

March 3 P^ent

Thursday 3^d March.

Josias ffendall Esq^r Gour^r, M^r Rob^t Clearke, M^r Baker Brooke
Philip Caluert Esq^r Secr^r, D^r Luke Barber M^r Ed: Lloyd
Cap^t Will^m Stone,

To the hon^{bte} the Gouverno^r & Councell

Hammond v.
Dodson

The humble Petⁿ of Anne Hammond Sheweth That yo^r Pet^r hauing attatchd^r a seru^t of M^r Garuase Dodson for a Debt due to her Children as may appeare uppon Record, May it please this hon^{bte}

Court to order the Sheriffe to possesse yo^r Pet^r wth the s^d Seru^t by Liber
processe in Law, on the behalfe of her s^d Children & she shall P. C. R.
pray &c:

The Court demandeth of the Pet^r whither shee knoweth th^t the
dēft hath had notice of this Attachm^t? Who sayth th^t shee sent to
the dēft, but knoweth not whither hee hath notice of the s^d Attachm^t
or not.

It is ordreed th^t the Attachm^t be continued & th^t the p^{lf} bring Vid. fol. 233
Certificate, th^t the Court may bee satisfyed, th^t the dēft had notice & fol. 310
thereof by the next Prouinciall Court. fol. 346

It is Ordered th^t M^r Richard Smith & Thomas Belcher bee allowed Re Dandy's
Seauen hund^d Seauenty nine pownds of Tob out of the Estate of Estate
John Dandy. It being for prouision of dyett in time of his durance
att their howse.

Whereas Henry Potter hath petitioned this Court for Judgm^t agst Potter v.
the Estate of Will^m Thomas The s^d Thomas being Nonsuited att the Thomas's
last Prouinciall Court, & adiudged to pay Costs unto the Pet^e. Estate
Vid. fol. 116

It is Ordered th^t the Pet^r haue Judgm^t & Exequuōn agst Will^m
Thomas for Clearks ffees, sheriffes ffees, & [his] owne attendance for
seauen dayes att the last Court in Caluert County att 30^t Tob p^e day,
amounting to Two hund^d & Ten pownds of Tob.

Writt Exeqⁿ fol. 216.

Came M^{rs} Jane Eltonhead & acknowledgeth to haue receaued of Eltonhead v.
the hon^{bte} Josias ffendall Esq^r, to the ualue of Two thousand pownds Fendall
of Tob. according to a Judgm^t acknowledged in the Prouinciall Vid. fol. 43
Court holden in Caluert County 29th of Aprill Año Dñi 1658.

Jane Eltonhead

Warr^t from the Gou^e to the Sheriffe of Kent County to arrest the Salter v.
bodies of Thomas Sowth & Thomas Hinson, in an accōn of Case, Sowth et al.
att the suite of John Salter, dat. 28th Octobr 1658. and e contra

This Cause uppon a Writt of Error being intricate. It is Ordered p. 214
that this following Writt bee sent up to Exaiñe & make report &c:

Cæcilius &c: To Our beloued Nathaniel Vtie, & Edward Lloyd Vid. fol. 125
Esq^r & Joseph Wicks & Cap^t Robert Vaughan Gentⁿ Greeting. Vid. fol. 261
Know Yee th^t Wee haue gyuen to yo^u fflowre power & authority
whatsoeu^e wittnesses in & concerning certaine damages by John
Salter p^{lf} agst Thomas Sowth dēft recouered, & now by writt of
Error to you to be deliuered againe questioned, dilligently to Ex-
amine. And therefore Wee command you th^t att certaine times &
places w^{ch} yo^u shall appoynt them the s^d Wittnesses, yo^u cause to

Liber
P. C. R. come before yo^u, And those same Wittnesses & euery one of them
uppon their Oathes uppon the holy Euangelists corporally to be
taken that yo^u dilligently examine, And their Examinaōns th^t yo^u
take & to writing doe committ. And when yo^u haue soe taken them
into Our Prouinciall Court by the 20th day of Aprill next where-
soeu^e it shall bee held that yo^u doe distinctly & clearely send under yo^r
seales, together wth yo^r opinions, what uppon the premises it fitt to
be done, & this Writt, Prouided allwayes th^t the s^d Salter haue warn-
ing by the space of Ten dayes, of the Execution of this Commisⁿ,
before the Execuōn of the same. And likewise to examine all the
differences depending betweene the s^d p^rtis or eyther of them, &
Thomas Hinson. Gyuen att S^t Maries this 3^d day of March 1658.
Wittnes &c: Josias ffendall.

Postpone- ments	Co th Nathaniel Vtie X Peter Sharpe.	} Respited till next Prouinciall Court.
	Cap ^t William Stone X Edw: Cloxstone	
	M ^{rs} Jane Eltonhead X Edm: Scarborough	
	Cap ^t Tho: Cornewaleys X John Webbe	

Proclamation &c:

Proclama-
tion of
Richard
Cromwell
Lord Pro-
tector

Whereas it hath pleased the most wise God in his Prouidence to
take out of this world the most Serene & renowned Olyuer late Lord
Protecto^r of the Common wealth of England, Scotland & Ireland &c:
& his s^d Highnes hauing in his life time, according to the humble
Petⁿ & aduice of the late Parliam^t in England declared & appoynted
the most noble & illustrious the Lord Richard Eldest sonne of his s^d
late Hignes to succeed him in the Gouverm^t of the s^d Commonwealth
of England, Scotland & Ireland, & the Dominions thereunto be-
longing. Wee therefore the Leiuten^t & Councell of the Lord Pro-
prietary of this Prouince Doe now by the s^d Lord Proprietaries direc-
tion hereby publish & declare the s^d Noble & Illustrious Lord Richard
to be Rightfully Protecto^r of the Commonwealth of England, Scott-
land & Ireland, & the Dominions & Territories therto belonging.
Beeseeching the Lord to blesse him wth long life & happines in his
Gouverm^t

p. 215

God save his Highnes Richard Lord Protecto^r.

Proclamation

By the Leiuten^t

Whereas his Highnesse Richard Lord Protecto^r was this day
proclaymed, In hono^r of th^t Solemnity, & according to the power to
mee by the Lord Proprietary Committed, I doe hereby Pardon &
acquitt All & Euery person or persons w^{ch} this Court in any Criminall

Cause stood indicted conuicted or Condemned to dye Resyding att this time wthin this prouince

Liber
P. C. R.

God saue the L^d Proprietary Josias ffendall

The Court dissolved by the Gouverno^e, Who appoynted the next Prouinciall Court to be holden in Caluert County, on the 20th day of Aprill next.

Court
Dissolved

Walter Hall sworne Sayth (att the request of George Thompson) th^t M^r Langworth told him this Depon^t, th^t M^r Clearke need not to haue taxed him as he did in Court, for hee was ciuill enough to him, for hee bought him a seru^t wth his M^r Clearks Tob. & kept the s^d seruant a yeare in his howse, under pretence of being his owne, and further Sayth not.

Langworth
v. Clarke
p. 216

M^r Thomas Mathews Sayth, th^t M^r James Langworth speaking att randome in reference to M^r Clearks taxing him wth Inciuility in Court towards him, sayd That hee had beene a good freind to him for he purchased for him a seruant, Whereuppon this depon^t, inferred saying Thats well, may bee yo^u by soe doeing haue hindred some one or other from recouering their Debts.

M^r Roger Isham sworne sayth when as M^r Langworth came from the Table, The s^d Langworth sayd That he had bene uery ciuill to M^r Clearke, & had Tob of his in his hands, wth w^{ch} hee bought him a seruant Boy, th^t had 5 yeares to serue, & gaue him 1000^t Tob. for his yeares worke, notwthstanding his seasoning, & th^t his old hands made but 1500^t a share. And th^t M^r Clearke had nothing to shew under his hand (as this Depon^t supposeth) for the Tob, wth w^{ch} hee bought the s^d seruant, & further Sayth not

Sworne all Three in open Court Will^m Bretton.

Joseph Wicks demandeth warr^t agst Richard Owens in an accōn of the Case, to the value of 5000^t Tob.

March 3^o
Wickes v.
Owens

war^t to the Sheriffe of Anarundell County to arrest &c: Ret. next Prou: Court to be holden in Calu^t County 20th Aprill next.

writt of Exequuon to the Sheriffe of S^t Maries County att the request of Henry Potter agst the Estate of Will^m Thomas according to the Order of Court. 3^o March last, fol. 213

March 5th
Potter v.
Thomas
To the Clk
163 To the
Sh. 080
Vid. fol. 213
Tilghman v.
Thomkinson
Adminir.

Cap^t Samuel Tilghman demands war^t agst John Thomkinson Admistrato^e of the Estate of George Doltee deceased, in an accōn of Debt of 606^t Tob.

war^t to the sheriffe of Charles County to arrest &c: Ret. next Prou: Court 20th Aprill next ut suprà.

- Liber
P. C. R.
Cornwaleys
v. Pille
110
To the Clk.
039
Evans v.
McKinney
Vid. Order
fol. 254
- Cap^t Tho : Cornwaleys demands warr^t agst John Pille in an accōn of Debt.
War^t to the Sheriffe of S^t Maries County to arrest &c : Ret. next Pro : Court 20th Aprill next ut suprā.
Mr Symon Ouerzee demands war^t agst Will^m Cole in an accōn of Debt.
War^t to the Sheriffe of S^t Maries County to arrest &c : Ret next Pro : Court to be holden in Caluert County 20th Aprill.
- Stone v.
Battan's
Estate
To the She:
110
To the Clk.
039
Evans v.
McKinney
Vid. Order
fol. 254
- Writt of Exequuōn to the Sheriffe of Charles County, att the Request of Cap^t Will^m Stone for 500^t Tob. agst the Estate of Will^m Battan according the Order fol. 133.
Cap^t Will^m Euans Adm̄istrato^e of the Estate of Cap^t John Bariffe demandeth warr^t agst John Mee Kenny for 400^t Tob.
Writt of Scire facias to the Sheriffe of S^t Maries County according to the Order 29 Decemb^r 1657, Ret. next Pro : Court ut Suprā.
- Maynard v.
Gerard
Clk. ffees,
155
Sh. ffees, 090
- Writt of Exequuōn to the Sheriffe of S^t Maries County att the request of Charles Maynard agst the Estate of M^r Thomas Gerard for 274^t Tob. according to the Order, fol. 116.
- Warren v.
Hill's Estate
Clk. ffees,
062
Sh: ffees,
100
- Writt of Exequuōn to the Sheriffe of S^t Maries County, att the request of Humphry Warren agst the Estate of Rob^t Hill for 25^d, according to the Order of Court fol. 109 in Too, att 2^d per pownd.
- Crouch v.
Fenwick
- writt to the Sheriffe of S^t Maries County to warne Martin Kirk, & writt to the Sheriffe of Caluert County to warne M^r Thomas Trueman to testify inter M^r Crouch & M^{rs} ffenwick concerning a horse att M^{rs} ffenwicks request.
- March 17th
Thickpenny
v. Johnson's
Estate
Clk. ffees,
086
Sh: ffees
March 18th
Husbands v.
Edwin
- Writt of Exequuōn to the Sheriffe of Caluert County att the request of Henry Thickpenny agst the Estate of Cornelius Johnson for six hund^d pownds of Tob. according to the order fol. 134.
Cap^t Richard Husbands demands war^t agst Will^m Edwin in an acōn of Case to the ualue of 1500^t Tob.
war^t to the Sheriffe of S^t Maries County to Arrest &c : Ret next Pro : Court, 20th Aprill next ut Suprā.
- Husbands v.
Cooke
- Cap^t Rich : Husbands demands warr^t agst Cap^t Miles Cooke in an accōn of Case of 1500^t Tob.
war^t to the Sheriffe of S^t Maries County to arrest &c : Ret. next Pro : Court 20 Aprill ut Suprā.

Cap^t Thomas Cornwaleys demands war^t agst Henry Ellery in an accōn of Case to the ualew of a hogshhead of Tob. Liber
P. C. R.
Cornwaleys
v. Ellery
warr^t to the Sheriffe of S^t Maries County to arrest Ret. next Prou: Court 20th Aprill. Ret. 2^d day of Court.

Summons to the Sheriffe of S^t Maries County to warne John Van Hack (500^t Tob. forfeiture) to testify inter Cap^t Tho: Cornwaleys & Michàèl Baysey. Cornwaleys
v. Baysey

Cap^t Thomas Cornwaleys demands war^t agst Richard Neuett in an accōn of Debt of 700^t Tob. p. 218
Cornwaleys
v. Nevitt
writt to the Sheriffe of S^t Maries County to arrest &c: Ret. next Pro: Court to be holden in Caluert County 20th Aprill. Ret 2^d day of Court.

Cap^t Tho: Cornwaleys demds writt of Extent uppon the Land of Co^h ffrancis Yardley according to the Order of Court &c: fol. 211. Cornwaleys
v. Chandler
& Overzee

The writt

Cæcilius &c: To the Sheriffe of Charles County Greeting. Wee Extent
Command yo^u That by the Oathes of Twelue good & lawfull men of yo^r County yo^u cause to bee extended & apprayed the Land belonging to Co^h ffrancis Yardley att Portoback deceased, W^{ch} Thomas Cornwaleys Esq^r att Our Prouinciall Court held the second day of March 1658 att S^t Maries, in satisfaction of a Debt of fve thowsand pownds of Tob & Cask due from the s^d Yardley, recouered agst Job Chandler Esq^r & Symon Ouerzee Gentⁿ, present possessors of the s^d Land, deryuing Tytle thereto from the Relict of the s^d Co^h yardley Deceased, And the Extent & Appraysm^t w^{ch} yo^u shall thereon make Cause to be signified to Our Prouinciall Court to bee held in Caluert County the 20th day of Aprill next, under thy Seale, & the Seales of them by whose Oathes the s^d Inquisition thou shalt make, And haue thou there this writt. Gyuen att S^t Maries this 15th day of March 1658. Wittnes Our Trusty &c: Josias ffeindall Esq^r Our Leiuten^t &c:
Josias ffeindall.

To all to whom these p^ents shall come, I Cuthbert ffenwick of the County of S^t Maries in the Prouince of Maryland gentⁿ send Re Fenwick's Estate
Greeting &c:

Know yee th^t I the s^d Cuthbert ffenwick for & in consideraōn of the unfayned loue & affection, th^t I beare unto M^{rs} Jane Moryson late Mrs. Jane ffenwick's Joynture
Wife of Robert Moryson of the County of Kecoughtan in the Prouince of Virginia gentⁿ deceased. And easpecially in Consideraōn of Matrimony intended p^esently (by gods grace) to be solemnized betweene the s^d Cuthbert & the s^d Jane. Doe by these p^ents giue, graunt, confirme, & endowe: And by these p^ents haue giuen, graunted,

Liber & in nature of a free-Joynture endowed, unto Will^m Elltonhead
P. C. R. gentⁿ & Rob^t Clearke gentⁿ ffeoffees in trust; for & in the behalfe of
the s^d Jane, Three negro seruants (Viz) Two negro men, & One
negro woman, to say, William Allington & Tom: Payne: & Nan: &
all their issue both male & ffemale, Six Milch Cowes & Three heyfers
wth their encrease, Two yowng Mares, & a Stone horse, wth their
encrease. One halfe of the howshould goods, that shall bee in the
possesⁿ of the s^d Cuthbert att the hower of his Death, wth all the
wearing cloaths, ringes & Jewells of the s^d Jane, To haue & to hould
p. 219 the sayd Recyted premises & euery part thereof unto her the s^d Jane,
& the heyres lawfully begotten betweene mee the s^d Cuthbert ffen-
wick, and shee the s^d Jane, whither male or ffemale (or both) to bee
equally deuided after her Decease, Prouided allwayes th^t the same &
euery part thereof graunted as afores^d, shall bee & remaine to the
only use, benefitt & behoofe of mee the s^d Cuthbert during my Natur-
all life, And in case I the s^d Cuthbert shall happen to depart this
life wthout issue betweene mee the s^d Cuthbert & shee the s^d Jane as
afores^d, That then the s^d demised premises & euery part thereof, wth
the proceed, profitt, & increase thereof shall bee & remaine to the
only use, benefitt, & behoofe of the s^d Jane her heyres, Executo^{rs}, or
Admistrato^{rs}, And for the true & reall p^eformance of this Deed &
euery part & parcell thereof, in manner & forme afores^d I the s^d
Cuthbert ffenwick doe bind ou^e unto the s^d Will^m Eltonhead gentⁿ &
Rob^t Clearke gentⁿ. The sayd Three Negros, & Three other Negros:
the s^d six Cowes, & other Six Cowes, The s^d Three heyfers & other
Three heyfers, The s^d Two mares & other Two mares: The s^d
Stone horse, & one other Stone-horse, To bee all lyable & responsable
for the full assurance of making good the afores^d Joynture for the
use of the s^d Jane, her heyres Executo^{rs} or Admistrato^{rs} as afores^d.
In wittnes whereof I the s^d Cuthbert ffenwick haue hereunto sett my
hand & Seale the first day of this instant August, Anoq^e Dñi 1649.

Signed, Sealed & Deliuered in the p^ence Cuth: ffenwick Se X ale.
of us for the uses afores^d

ffrancis π ∞ Brooke

Charles Rawlinson.

(Vide I
Baldwin
Md. Calen-
dar of Wills
219)

M^r ffenwicks Will. In the name of God Amen, I Cuthbert ffen-
wick being sick of Body, but in p^efect memory, Doe make my last
Will & Testam^t as followeth, ffirst I bequeath my Soule to Allmighty
God, & my Body to the Graue, As as for my Temporall Estate, I
desyre it may be deuided as followeth.

Imp^r. I giue & bequeath unto my louing Wife Jane ffenwick, all
th^t Parcell of Land Lying Westward of the Deepe Branch of S^t
Cuthberts neck, to bee att her disposing.

It. All the Rest I doe desyre should be deuided equally amongst
the Children that is to say Cuthbert ffenwick, Ignatius, Robert,

Richard, & John ffenwick, Only the s^d Cuthbert ffenwick is to haue a hund^d Acres more then the Rest: & his Plantaōn to bee uppon St^t Cuthberts, & to bee Lord of the Manno^r, & the yearely Rent to be payd to Cuthbert ffenwicke, his Brothers paying their proportion. And the howse & Plantaōn to my Wife I allso bequeath the Plantaōn & howseing thereto belonging, And allso the Children I desyre to remaine wth her, untill they come unto Age. Liber P. C. R.

It. I giue the Plantaōn that Wee haue now seated unto my Wife during her life. p. 220

It. I giue the first Mare foale th^t is foaled unto Teresa, Cuthbert & Ignatius ffenwick, Prouided it liue, untill it haue a Mare foale then the encrease of those Two, to be equally diuided amongst the afores^d Children, Only the horse Colts is to belong unto the Mother, untill the s^d mare brings a Mare foale.

It. I giue unto M^r Starkey one Thowsand pownds of Tob.

It. I giue unto M^r ffitzherbert ffue hund^d pownds of Tob.

It. As Concerning my Debts what I owe, or is oweing unto mee, will appeare in my writings att home, Except the Tob & Corne, th^t is oweing unto my Brother Eltonhead for seruants. And likewise the Tob th^t I receaued for his use, w^{ch} my Wife knowes of. Allso Three hund^d & seauenty ffue unto M^r Anketill as wittnes my hand the 6 day of March 1654.

Signed, Sealed & deliuered

in the p^{ce}nce of us

ffrancis Anketill

Elizabeth Gerard.

Cuth: ffenwick Se X ale.

Know all men by these p^{ents} th^t I Cuth: ffenwick of the Prouince of Maryland gentⁿ, doe by these p^{ents} constitute & appoynt my louing ffreind M^r John Hatch my true & lawfull Attorney in Maryland to all intents & purposes as if I my selfe were personally present, as wittnes my hand this 21th of ffebruary 1649

Wittnes

ffrindship Tounge

Cuth: ffenwick

Due to the old Doctor	2100
ffor 5 barrells of Corne prest from	
mee by M ^r Greene for the ffort	1000
more 5 barrells	0500
In the Margent This Bill is made w th a Condiçōn under writen	

Vacat. This Bill bindeth mee John Pille my heyres Executo^{rs} & assigns to pay or cause to be payd unto Thomas Mathews or his heyres Executo^{rs}, adm̄istrato^{rs} or assigns the full & Mathews v. Pille

Liber iust summe of Two hundred pownds of good & lawfull money of
P. C. R. England due to bee payd att all demands as wittnes my hand &
Seale this 13th of March 1648.

Test Ralph Crouch.

John Pille Se X ale.

The Condiçōn of this Obligaōn is such th^t if the aboue bownden
John Pille doe pay uppon demand unto Thomas Mathewes or his as-
signes the iust summe of One hund^d pownds of good & lawfull
money of England, that then this Bill shall bee uoyd & of noe effect,
If not itt remayneth in itts full force & uertue. As wittnes my hand
& Seale this 13th of March 1648

In the p^en^ce of

John Pille

p. 221 These are to certify th^t I John Pille haue & doe assigne ouer &
deliuer unto M^r Thomas Mathewes for the paym^t & full discharge
of a Bill of One hund^d pownds sterl. due to be payd att all demands,
& bearing date 1648. Three seruants Will^m Wenam, Cornelius Cor-
mace, & Margaret Teresa, att fifty fowre pownds. And ffowre
Milch Cowes, fiue heyfers & a Bull att fowrty six pownds, Called
by these names following. Gent| Long Tayle, Black| Bobbe| Stiles|
New-Towne| Blacks heyfer| Long Tayles heyfer, & Bobs heyfer as
wittnes my hand this 17th of January 1657

John Pille

Testes John † W Wheeler Richard Willan Patrick fforrest.

Know all men by these p^ents th^t I Thomas Mathews of S^t Maries
ffor & in Consideraōn of diuers iust Causes mee thereunto mouing
haue & doe giue unto Sara Pille, the Wife of John Pille of Salisbury
in Maryland & their Children Joseph, Anne, & Mary Pille, these
seuerall goods here underwritten, Viz. Three seruants William
Wenam, Cornelius Cormacke, & Margaret Teresa, ualued att 54^l
sterl. & ffowre Milch Cowes, ffiue heyfers & a Bull att 46^l sterl.
called by these names following Gent| Black| Bob| Long Tayle|
Styles| New Towne| Blacks heyfer| Long Tayles heyfer| Bobs heyf-
er| wth all their encrease & profit for euer. And all the profit of
the labo^{rs} of the s^d Seruants during their seuerall times to bee dis-
posed of only by the s^d Sara Pille, or her assigns to the use &
benefitt of the afores^d Children. And to this intent & purpose I
haue deliuered, & gyuen the afores^d Seruants & Cattle, But if the
afores^d Sara Pille & her Three Children shall dye, & noe other Child
borne of her Body shall suruiue, That then the afores^d Cattle &
Seruants wth all their encrease shall fall & succede unto the use &
disposall of her husband John Pille, but not otherwise, In wittnes
whereof I haue hereunto sett my hand this 17th of January 1657.

Test Richard Willan Patrick fforrest

Thomas Mathewes.

Writt of Exequuōn to the Sheriffe of Caluert County issued 9th of March att the request of Cap^t Sampson Waring agst John Hamiltons Estate for 360^l Tob. according to the Order last Court, fol. 205.

Liber
P. C. R.
Waring v.
Hamilton's
Estate
Vid. fol. 205

M^r Rob^t Clearke demands out of M^r Lewis Land to be apprayed 500^l Tob, due to him for his ffee of Suruey of the same & not yet satisfied.

Clarke v.
Lewis

Thomas Gerard of S^t Clem^{ts} Manno^e in the County of S^t Maries Esq^r Sheweth.

Gerard v.
Willan and
Lindsey
p. 222

That in the yeare of Our Lord God 1640, Octob^r 8th His Lordship did by his speciall warr^t order One Thowsand Acres of Land to be surueyed, & under his greate Seale graunted to Abell Snow of Cur-siters Office in Chancery lane Londⁿ Gentⁿ That there was 1000 Acres of Land, lying betweene S^t Johns Creeke & Gerards Creeke, according to th^t speciall warr^t surueyed & graunted to the s^d Abell & his heyres the 12th of ffebruary following, That the s^d Abell is since dead, And th^t Susan the Wife of the s^d Thomas is Sister to the s^d Abell, & Heyre att Law unto him, & therefore oug^t the 1000 Acres to possesse. That Richard Willan of Snow Hill in the County of S^t Maries afores^d, & James Lindsey of S^t Thomase's in Charles County, the s^d Land doe uniustly deteine. And thereuppon bringeth his suite &c:

Richard Willan of Snow Hill in the County of S^t Maries, & James Lindsey of S^t Thomases in Charles County, Say, That they know not that euer Abell Snow had any Lawfull Graunt from his L^p of 1000 Acres Lying betweene S^t Johns Creek & Gerards Creeke, as by the p^{tf} is alleaged. That were it soe, Susan the Wife of Thomas Gerard is not the true heyre of Abell Snow. That they doe not possesse 1000 Acres of Land, Lying betweene S^t Johns Creeke & Gerards Creeke, but only 900 Acres, Bownded wth the ffreehold late of Thomas Hatton gentⁿ (first graunted to Nathaniel Pope fromerly of this Prouince) & a ffreehould formerly called Gerards ffreehould, now Porke-Hall. W^{ch} they doe possesse by Vertue of a Graunt from his L^p to them & their heyres, Bearing date 24^o Decemb^r 1652. W^{ch} Land by the Act for Deserted Plantaōns, was in his L^{ps} power to Graunt, & this they are ready to proue.

His L^{ps} speciall warr^t, & the other Records concerning this suite being ueiwd, & read: And the proofes & allegaōns of both parties being heard & considered; & the Cause, seaming difficult to the Board, a long time discussed, Philip Caluert Esq^r Secretary of this Prouince much concern'd herein craues an Appeale to his L^p in England, w^{ch} was Graunted

Añi 1658 ffinis.

Liber
P. C. R.
p. 229 Records of the Prouinciall Court ffor this Prouince of Maryland
1659.

Hall v.
Hammond
March 28 Walter Hall demands writt of Scire facias agst Anne Hammond
the Attorney of John Hammond her husband for 1166^t Tob. & Cask.
Writt as followeth to the Sheriffe of S^t Maries County, Ret. the
2^d Day of next Court, 20th Aprill.

Cæcilius &c: To Nicholas Gwyther gentⁿ, Sheriffe of the County
of S^t Maries. Because th^t Anne Hammond (Attorney of John
Hammond her husband) of Brittons Bay in New Towne hund^d
ought to haue payd to Henry ffox of the same place & hund^d afores^d
the summe of 1166^t of Tob in Cask uppon the 16th of July 1656, as
appeareth to vs uppon view of the Records, w^{ch} are yett unpaid as is
alleaged. Wee Command yo^u th^t yo^u make knowne unto the s^d Anne
Hammond, th^t shee bee att Our Prouinciall Court on the 20th of
Aprill next, wheresoeu^e it be held, to shew if shee haue any thing to
say, Why the s^d Tob. should not be leauyed uppon the Lands goods &
Chattles of her s^d husband, & to the Executors of the s^d Henry be
deliuered according to the force & effect of the s^d Judgm^t, And haue
yo^u there the names of those persons by whom yo^u haue made this
knowne unto her, & this Our writt.

Philip Caluert.

Veitch v.
Day James Veitch demands warr^t agst John Day in an accōn of Case
to the ualew of 2100^t Tob.

Writt to the Sheriffe of Caluert County to arrest &c: Ret next
Pro: Court hold att Calu^et County 20th Aprill 2^d day.

mrk. Cattle ffrancies Armestronge Recordeth his owne proper marke (Viz).
The Right eare slitt, the Left eare underkeeld.

Leiu^t Thomas Trueman enters his marke of Cattle, (Viz) The left
eare Crop't & slitt. The Right eare swallow tayld'.

Coursey v.
Morris John Coursey demands Attatchm^t agst the Estate of Nicholas
Morris for 4414^t Tob, It being due for Sheriffs ffees.

Attatchm^t to the Sheriffe of Kent County, according to demand
Ret. next Prouinciall Court, holden in Caluert County 20th Aprill
next 2^d day.

Husbands v.
Pakes Cap^t Richard Husbands demands writt agst Walter Pakes, in an
accōn of Debt to the ualew of 500^t Tob.

War^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next
Prouinciall Court to be holden in Caluert County, 20th Aprill next, ut
suprà Ret. 2^d day.

Writt of Exequuōn issued to the Sheriffe of Caluert County, att the request of ffrances Abramson agst the Estate of Rob^t Blinkhorne, according to the order of Court, fol. 200.

Liber
P. C. R.
Abrahamson
v. Blink-
horne
p. 230
Vid. fol. 200
Aprill 11th
Gerard v.
Hall

Thomas Gerard Esq^r demands writt agst Walter Hall, in an accōn of Debt.

War^t to the Sheriffe of S^t Maries County to arrest &c: Ret next Prou: Court 20th Aprill ut Suprà the 2^d day.

Thomas Gerard Esq^r demands writt agst John Jarbo in an accōn of Debt.

Aprill 12th
Gerard v.
Jarboe

Writt to the Sheriffe of S^t Maries County to arrest &c: Ret next Prou: Court 20th Aprill ut suprà.

Writt to the Sheriffe of S^t Maries County to warne Cap^t Thomas Cornewaleys, M^r Tho: Mathews, Hester Mathewes, Barnaby Jackson, Marks Pheypo, Nicholas Keytin, Bryant Daly, Thomas Hawker, & Thomas Courtney, to testify inter M^r Crouch, & M^{rs} ffenwick concerning a horse, prout Order, fol. 177.

Crouch v.
Fenwick

Walter Hall demands war^t agst M^r John Pille in an accōn of Case

Hall v. Pille

War^t to the Sheriffe of S^t Maries County to arrest &c: Ret next Prou: Court 20th Aprill ut Suprà, 2^d day.

Cap^t Sampson Waring demands writt agst John Tunnis in an accōn of Defamaōn.

Waring v.
Tunnis

war^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next Prou: Court 20th Aprill ut suprà.

writt to Sheriffe to warne Edward Turner Sub. poen: 500^t Tob. to testify in ditt. cause.

Cap^t Thomas Cornewaleys demands war^t agst George Wright in an accōn of Debt of 200^t Tob.

Aprill 16th
Cornwaleys
v. Wright

writt to the Sheriffe of S^t Maries County to arrest &c: Ret. next Prou: Court 20th Aprill ut suprà.

Came M^r Symon Ouerzee & acknowledgeth to haue receaued satisfaction in th^t Cause & order the last Court had & obteyned agst Cap^t Thomas Cornewaleys, uppon his note of Creditt for Two Thowsand, one hund^d & Twenty pownds of Tob, as by the s^d Order appeareth.

Overzee v.
Cornwaleys
Vid. Ord.
fol. 201

Summons to the Sheriffe of S^t Maries County to warne Edm: Nanfan, Peter Carwarden, John Mastvick, James Hall & Sarah ffrizell to testify Sub poen, 500^t Tob each, inter Hugh Beuin & M^r Symon Ouerzee, att Beuins request.

Bevins v.
Overzee

- Liber
P. C. R.
p. 231
Hawker v.
Mathews Thomas Hawker demands warr^t agst M^r Thomas Mathewes in an
accōn of Case.
Writt to the Sheriffe of S^t Maries County to arrest &c: Ret next
Prou: Court to bee holden in Caluert County 20th Aprill next. Ret
2^d day.
- Cary v.
Golson Thomas Carye demands war^t agst Daniel Golson in accōn Debt, &
allso another writt X idem in an accōn of Case.
Writt to the Sheriffe of Calu^et County to arrest &c: Ret next
Prou: Court 20th Aprill ut Suprà.
Subpœn: 500^t John Knap to testify in ditt. Ret &c:
- mrk. Cattle Emperour Smith recordeth his marke (Viz) Both Eares Cropd'
& a hole in each eare, & underkeeld the right eare.
John Cornelius recordeth his marke of Cattle (Viz) The left
eare Cropd, & a hole in the Crop, the right eare untouchd'.
Thomas Letchworth recordeth his marke (Viz) The left eare
Cropd' & slitt, The right eare under squard'.
- April 18th
Proprietary
v. Hutt Writt to the Sheriffe of Charles County to warne John Waltham &
Thomas Payne to testify one the behalfe of the Lord Prop^e agst
Daniel Hutt, sub pœn 500^t Tob each. Ret. next Prouinciall Court ut
suprà.
- Cary v.
Golson Writt to the Sheriffe of Caluert County to warne Peter Joy to
testify inter Cary & Golson in accōn sup Case, subpœnâ 500^t Tob. on
Golsons behalfe Ret. ut suprâ.
- Parrott v.
Brasse M^r Will^m Parrott demands warr^t agst Alice Brasse in an accōn
of Defamaōn.
Writt to the Sheriffe of Caluert County to bring Anne Brasse to
Court to iustify her allegaōn.
Writt to warne Cap^t Sampson Waring & James Veitch to testify
in dit. Caaⁿ sub pœn. 500^t Tob. each, pro pff.
Writt to the Sheriffe of Caluert County to warne Anne Neuell to
testify in dit pro dēft, att M^r Hugh Stanleys request. Sub pœna 500^t
Tob. Ret. ut suprâ.
- Re Quakers These are in the L^d Prop^{es} name to charge & command yo^u to
arrest the Body of Thomas Thurston, & him to deteine in yo^r Custody
wth out Bayle or Mainprise, Causing him to appeare att the Prouin-
ciall Court being holden att S^t Leonards in Patux^t the 20th of Aprill
next, There to answeare to such things, as shall be obiected agst him

on the behalfe of the L^d Prop^r. Hereof fayle not, & there to make
 returne of this warr^t. Gyuen this 22th of March 1658

Liber
 P. C. R.

To the Sheriffe of Anarundell

Nath: Vtie

Mr John Bateman

Decemb^r 3^d 1658.

Aprill 22th

p. 232

Re Bateman

I haue here inclosed Two bills of Lading, w^{ch} I haue assigned ouer
 to yo^u in a 6^d paper booke in my Trunk, The Inuoyces are, & the
 goods entred in th^t booke but not perfectly yo^u will find by another
 little booke the freight & charge, the Salt was intended for salting
 of meate for Barbados, the other goods & salt yo^u may dispose of for
 large bright Tob. furs, or what you find most aduantageous, And
 make yo^r returnes of the whole to Mr John Bagnall of London
 Merch^t. You will find by writings & letters to you of the Sale of the
 Negros. Pray doe what yo^u can in itt. Mr Lees Agents if yo^u & they
 can agree for what Negros are lyuing as they were appraysed. Three
 seuerall Bills of Exec^e uppon Mr Jn^o Jefferies payable to Mr Bagnall
 for the whole sume of money, & drawne by the s^d Agent 20 or 30
 dayes after sight will bee well, I am not able to write any more
 hauing had a terrible feauer a weeke or more. There is 2 Trusse of
 Linnen more then included in bills of & lye in the hold marked B,
 N^o 9 10, a uery small mark & N^o.

N^o 20 E a firkin for Mr Edmond Scarbrough not entred in the
 Bill of Lading.

A fowling peece marked thus ☉

a hatt case marked B.

& a Trunk wth noe mark The Trunk is the french fashion about
 Ten or 12 shillings price.

See the other side.

I left fowre Thowsand pownds of Tobacco in debts wth Mr Wil-
 liam Boreman to receiue for mee. I desyre yo^u to looke after it, and
 to make a Returne of it to Mr Bagnall in London.

I spent 3 Rumletts of drink conteyning fiuteene gallons w^{ch} was
 in the Bill of Lading.

Will Backhous

I left the key of the Trunk wth Mr Richard Hobbs. I doe testify
 that this Letter was the order of Mr William Backhouse to John
 Bateman.

John Horne

Attested in Court 22th Aprill 1659.

Will^m Bretton.

Endors^d

To his louing ffreind Mr John Bateman Merch^t in Patux^t Riuer
 or else where this

dd

Liber
P. C. R.
April 22

April 22th 1659

All writts directed to the respectiue Sheriffs of

p. 233 S^t Maries }
Charles } Countes Ret. All Executed (none excepted)
Caluert }
Anarundell }

Att a Prouinciall Court held in Caluert County on ffriday the 22th day of Aprill 1659 att M^r George Reades howse.

Pnt^e

Josias ffendall Esq^r Gou^r M^r Rob^t Clearke, M^r Baker Brooke
Philip Caluert Esq^r Secr. Co^{tt} Nath: Vtie, M^r Edw: Lloyd.

Anne
Hammond
v. Jaruise
Dodson

Whereas att the last Prouinciall Court held att S^t Maries 3^d of March last, The p^{tf} then Petitioned & requested to be possessed wth a Seru^t, belonging to the dēft, on the behalfe of her Children, & under attatchm^t, for a Debt due unto the s^d Children from the dēft, as appeares uppon the Records of this Prouince And whereas by th^t Order afores^d the Attatchm^t was continued, & the Pet^r Ordered to bring Certificate to this Court th^t the debt had notice gyuen him of the s^d Attatchm^t, W^{ch} the p^{tf} is not able to declare or say that hee had. Yett the Board being certified th^t some Inhab^{ts} here, had desyred certaine liuers, neare Neighbo^{es} to the dēft, to certify him thereof, to the end he might haue notice, & giue his attendance att this Court, if hee should see cause therefore. Who not appearing eyther by himselfe or Attorney.

It is therefore Ordered, th^t the p^{tf} shall haue the seruant soe attatched putt into her Custody; & him to keepe till the last day of Nouember next, Vnlesse the dēft come afore th^t time, & make prooffe th^t the p^{tf} hath iniured him in her fores^d demand. And if he appeares not afore or att the s^d prefixed time, then the p^{tf} to haue Judgment, uppon default, for the residue of the s^d seruants time, And ffurther th^t the p^{tf} use all ordinary dilligence to giue the dēft notice of this Order.

Wickes v.
Owens

To the hon^{bte} Cap^t Josias ffendall Esq^r Gou^r of the Prouince of Maryland, & his hon^{ble} Councill

The humble Petⁿ of Joseph Wicks, Sheweth That in ffebruary in the yeare (55) yo^r Pet^r agreed wth M^r Richard Owens for a mayd seruant, ffor w^{ch} yo^r Pet^r was to pay unto the s^d Owens Two thousand Three hund^d pownds of good Tob in Cask, W^{ch} paym^t was well & truly performed unto the s^d Owens by yo^r Pet^r, ffor w^{ch} fores^d summe of Tob, the s^d Owens ingaged himselfe unto yo^r Pet^r to deliuer
p. 234 him a Seruant sownd & in perfect health. But soe it is, th^t the seru^t

th^t yo^e Pet^e had of the s^d Owens, was uery much diseased wth the Pox, commonly called the ffrench Pox, & uery unable to doe yo^r Pet^r seruice in his lawfull imploym^t, Being almost consumed wth the s^d disease, & was uery burthensome & chargeable unto yo^r Pet^r, neare about six or seauen months; w^{ch} was all the time shee lyued wth yo^r Pet^r, Hee hauing often demanded of the s^d Owens satisfaction for the dammage yo^r Pet^r susteyned & suffered by the s^d Owens non p^eformance according to agreem^t w^{ch} the s^d Owens will not in any kind allow or p^eforme to yo^r Pet^r.

The premises Considered yo^r Pet^r humbly craueth this hon^{bte} Court seriously to weigh & consider, the great iniury & dammage yo^e Pet^r hath susteyned & suffered by the iniurious dealings of the fores^d Owens & th^t yo^r hon^{rs} would be pleased to graunt Order, th^t the s^d Owens shall p^eforme his bargaine & agreem^t according to promise unto yo^r Pet^r & to pay all such dammage & Charge as yo^r Pet^r is able to make appeare to yo^r hon^{rs} hee hath bene damnified, W^{ch} yo^r Pet^r shall willingly referre to yo^r hon^{rs} wisdome, as in Justice & according to Equity & good Conscience yo^u shall finde iust cause,
& as in duty bownd shall euer pray &c:

The Deposⁿ of Anne Hinson aged 44 yeares or thereabouts sworne this 2^d of January 1657 Examined sayth.

That this Depon^t was att the howse of Joseph Wicks a few dayes after he brought home a woman seruant, th^t the s^d Wicks had bought as hee told mee of M^r Richard Owens. And the s^d seruant complained to this Dep^t & sayd shee was uery sick & ill, & soare in her boanes, & in her head & neck, & all ouer her body, & th^t shee could not well turne her selfe, & would haue shewed herselfe, or parts of her body th^t was soare, & this Depon^t told her, th^t shee did beleieue it might bee some cold th^t shee had taken, & did not looke uppon her soares att th^t time, But shortly after this Depon^t was att the s^d Wicks howse, to speake wth Richard Mores, Att w^{ch} time the s^d seru^t complained againe to this Depon^t & sayd shee was uery ill & soare, th^t shee hardly lift her armes to her head, And in a little time after the s^d Wicks was gone to the manathos wth the s^d Moores, this Depon^t was wth her againe, goeing to M^r Wards howse, And the sayd seru^t went as if it were exceeding paynfull to her to goe one step, And after this Depon^t came to the s^d Wickes howse shee demanded of Nicholas Bradaway what aylded the mayde, for shee mett her goeing towards M^r Wards: & shee went as if shee were not able to goe, And hee answered hee did not know, what a pox shee ayled, for hee thought they should bee all poysoned wth her, & in a little time after M^r Ward & his Wife brought her home, & M^{rs} Ward called mee out of dores, & told mee, th^t her husband sayd, the wench had gott the biggest pox th^t could bee gott for money. And th^t the wench told the s^d M^{es} Ward: th^t That Rogue Owens had gyuen it to her, And the s^d

Liber
P. C. R.

Liber
P. C. R.

Wards Wife told this Depon^t th^t there should bee some sodeine course taken wth her for her cure or ells should rott away alieue, & infeckt all the howshold, And this Depon^t called the s^d Seru^t in priuate & searched her. And I found th^t shee was in a uery loathsome & perishing condicōn. And I aduised the fores^d Bradaway, to gett M^r Ward to lett her blood, & giue her physick, W^{ch} was p^eformed by the s^d Ward unto her, W^{ch} physick accorded to the directions of the s^d Ward was gyuen to her by this Depon^t after the s^d Wickes seruants or Bradaway brought her downe unto this Depon^{ts} howse in a Canooe; shee not being att th^t time able to goe. And wthin two or three dayes after shee was brought to this Depon^{ts} howse, I went wth the s^d Bradaway unto Cap^t Will^m ffullers. And this Exam^d informed Cap^t ffuller the condicōn th^t the seruant was in, & th^t the s^d seruant told mee th^t shee gott the pox of the s^d Owens. And Cap^t ffuller replied to this Depon^t, th^t hee did not looke by his Countenance to bee such a man; And this Depon^t desyred some physicall means, or any thing th^t hee thought might giue her any ease of her payne, & heale her soares. And the s^d Cap^t ffuller did giue this Depon^t some medicines, & aduised her how to giue them to her, & how to make use of them to dresse her soares. And the s^d seru^t would bee allwayes Crying uppon Owens, That Rogue Owens had undone her. And th^t hee had gyuen th^t disease unto her, after the s^d wicks had bought her. And th^t the s^d Owens did make use of her body, after a uery inhumane manner, & keepe her downe uppon her face, th^t shee could noe wayes help her selfe. And further this Depon^t sayth th^t being aboard of Cap^t Leech's shipp wth M^r Wicks & M^r Carline, And M^r Owens being att the same p^ent aboard the s^d ship, The s^d Wicks demanded of the s^d Owens, what his reason was to beate & abuse the mayd after hee had bought her of the s^d Owens? & the s^d Owens answered shee had a peremptory tounge. And the Wicks replied, see, or be sure yo^u haue deliuered mee a mayd in p^efect health, according to yo^r agreem^t & further sayth not, only thus, That when this Depon^t made the relaōn as afores^d unto Cap^t ffuller, this Depon^t sayd, th^t shee thought the fores^d seruant had the Cuntry disease, And Cap^t ffuller replied, That yo^u may call it the Cuntry disease, or ffrench disease, or what yo^u will; but it is noe better nor worse then the Pox.

Anne I O Hinson
her marke

Jurat Coram me John Russell.

p. 236 The Deposⁿ of Nicholas Bradaway aged 27 yeares or thereabouts sworne & examined Sayth this 5th of January 1657 in p^en^ce of Cap^t John Russell.

That about some two yeares or thereabouts, this Depon^t being in company wth Cap^t Wicks att M^r Owens howse, did heare M^r Wicks bargaine wth the s^d Owens for a mayd seru^t: & the s^d Owens de-

syred Mr Wicks to lett the seruante remaine wth him a fortnight or three weekes in regard the sayd Owens had a lame fellow, in his howse, & had nobody to looke after him, Whereuppon the s^d Wicks did condescend unto Mr Owens desyre, conditionatly th^t the s^d Owens should deliuer the seruante unto the s^d Wicks sownd & in perfect health, Whereuppon the s^d Owens made some scruple of it att the first, & went & fetcht out the seruants cloathing, & would deliuer her p^esently. And Mr Wicks replied, th^t if hee would deliuer her he would carry her away wth him, The s^d Owens being loath to lett her goe att th^t time, did agree to deliuer the seruante sownd & in p^efect health, unto the s^d Wicks, & further sayth not.

Testis W^m Leeds Cler.

The N B signe of
Nicholas Bradaway.

Will^m Leedes being sworne in Court doth affirme the same wth Nicholas Bradaway only th^t he cannot remember the s^d Owens pretence of his lame man, & further sayth not

W^m Leedes Cler.

The Deposⁿ of Elizabeth Louely aged 40 yeares or thereabouts Sworne & examined this 9th Aprill 1659 Sayth, That Anne Gould a woman seruante came unto this Depon^{ts} howse about three yeares last past; w^{ch} was p^esently after Mr Wicks had brought her home to his owne howse, W^{ch} seruante, as he related had had bought of Mr Owens. And the s^d seruante complayned to this Depon^t that shee was uery ill, & not able to goe, & desyred this Depon^t to looke uppon her soares, & to tell her what it was, & this Depon^t did looke uppon her soares, but could not resolute her what it was, But aduised her to gett Thomas Ward this Depon^{ts} then husband to looke uppon them, & hee could resolute her, And the s^d seruante did persuade this Depon^{ts} husband to looke uppon her soares who came & told this Depon^t th^t shee had gott the biggest pox, th^t could bee gott for money, & the s^d seruante did curse the s^d Owens, & sayd hee had undone her, ffor shee was well & in p^efect health before shee came to him. And this Depon^t & Anne Hinson did p^eswade the fores^d Thomas Ward, this Depon^{ts} then husband to administer something out of pittie to her, th^t might giue her some ease or moderate the payne shee endured untill her master Cap^t Wicks returned from the Manathos, w^{ch} hee did. And when the s^d Wicks came home & understood of her disease; hee used all lawfull wayes & meanes to gett her cured, by applying himselfe to Cap^t ffuller, & this Depon^{ts} then husband who did undertake to use their best skill & endeauo^{rs} for her cure, And this Depon^t doth further depose, th^t during the time th^t the s^d Seruante lyued wth the s^d Wicks, w^{ch} was to this Depon^{ts} best remembrance about six or seauen months, during w^{ch} time the s^d seruante was in a uery loathsome, stinking & perishing condicōn, & was uery offensiue, loath-

p. 237

Liber some & dangerous unto all the s^d Wicks ffamily & might haue proued
P. C. R. uery contagious unto their health, the disease not being knowne unto
the s^d Wicks or any of his family, Seeing shee had the ordering &
dressing of all their prouision, & washing their linnen, & further
deposeth not

Jurat Coram me Thomas Bradnox

The m̄rk of
Elizabeth ★ Loueley

The Deposⁿ of Nicholas Bradaway aged 28 yeares or thereabouts
Sworne & Examined this 9th Aprill 1659.

Sayth, That about Three yeare last past this Depon^t then lyuing
in the howse of Cap^t Wicks, & had the charge of the s^d Wicks his
seruants, That Anne Gould a woman seruant th^t the s^d Wicks bought
of M^r Richard Owens, the uery next day after the s^d Wicks brought
her home from the s^d Owens, unto his owne dwelling howse, the
sayd seruant complayned unto this Depon^t & sayd that shee had a
great paine in her shoulder, th^t shee could not lift her arme unto her
head, And from that time untill shee dyed, shee euery day was
worse and worse, & was uery loathsome wth the disease th^t shee
had. This Depon^t applying himselfe unto Cap^t ffuller & M^r Thomas
Ward, did acquaynt them wth her Condiçōn, the fores^d Cap^t ffuller &
M^r Ward affirmed unto this Depon^t, th^t shee had the pox. And
further this Exam^d deposeth th^t the fores^d Wicks did use all lawfull
wayes & meanes to seeke for cure for her, all the time th^t shee liued,
w^{ch} was about six or seauen months, all w^{ch} time the s^d seruant was a
uery loathsome creature by her disease; & was by reason of the
loathsome smells & sents th^t continually came from her, was uery of-
fensive & dangerous unto all the family: being the s^d seruant did
dresse all o^r prouisions, & washed o^r linnen. The disease afores^d
being uery loathsome, broke out uppon her, & this Depon^t, & the rest
of the family being ignorant what it was, untill wee were informed
what the disease was, by Cap^t ffuller & M^r Thomas Ward, & further
deposeth not

Jurat Coram me Thomas Bradnox.

Nichol NB Bradaway
his signe

The Petⁿ & Depos^{ns} produced by the p^{tf} being read, M^r Edward
Lloyd in behalfe of the dēft sayth, That hee was bownd for the
dēfts appearance, att this Court. Yett not hauing any lrē of At-
torney at p^{ent} by him; Offereth to produce a gra^{tl} lrē of Attorney att
the next Prouinciall Court, signed by the dēft, constituting him the
s^d M^r Lloyd his Attorney to all intents & purposes wth in this prou-
ince. And ffurther the s^d M^r Lloyd offereth & declareth to the
Board, th^t hee is content & will pay the Costs & charges of this cause
p. 238 himselfe, in case the dēft shall not allow or stand to the determinaōn
& iudgm^t of this p^{ent} Court.

To w^{ch} offer the p^{tf} willingly consenteth.

Whereuppon the s^d M^r Lloyd willeth the p^{lf} to proue what is alleaged in his Petⁿ. To whom the p^{lf} sayth th^t hee hath shewed by his testimonies read in Court th^t the dēft was to deliuer him a mayd seruant sownd & in p^efect health, according to th^t later Condi^cōn made wth the dēft, he hauing made paym^t of the whole summe of Tob agreed uppon, w^{ch} is not unknowne euen unto M^r Lloyd himselfe, as he uerily supposeth & beleiueth.

Liber
P. C. R.

And M^r Lloyd acknowledgeth th^t there was a Collaterall contract or bargaine made between the p^{lf}, & the dēft, & signed, concerning this mayd seruant, w^{ch} was cancelled & deliuered in unto the dēft by the p^{lf}, & thereuppon the dēft ought not, to be molested, as concerning th^t contract. It appearing to the Court, That att the first bargaine or agreem^t for th^t seruant there was noe doubt of her health, But, because p^ent deliury was not made, there might bee some doubt thereof: otherwise th^t Collaterall bargaine had not bene (ffor the seruant to be deliuered sownd & in perfect health as afores^d)

Whereuppon the Judgm^t of the Court is, That seing the dēft did contract or make such Condi^cōn, as is proued, wth the p^{lf}, that hee ought to haue performed his s^d condi^cōn & contract wth the p^{lf}, w^{ch} he hath not.

It is therefore Ordered th^t the dēft pay or deliuer unto the p^{lf} a woman seruant for fowre yeares, & satisfy or pay the Charges of this suite incurred this Court only, & noe further.

This Cause being respited the last Prou; Court & the dēfts Attorney alleging, th^t he supposed th^t the p^{lf} had wth drawen his accōn, because the p^{lf}, nor his Attorney was not att th^t Court, And it being shewen unto the Court, th^t the p^{lf} himselfe could not bee att Court, by reason of the year's (?) ffrost: & his Attorney was imployed about his L^{ps} & the Country affayres; neyther did the dēfts Attorney motion to haue this Cause determined. It is therefore Respited till the next Prouinciall Court.

Coll.
Nathan:
Vtie v.
Peter
Sharpe

To the Petⁿ of the p^{lf} in this Cause, & Respite the last Court; The dēft not being personally present att th^t Court, but by his Attorney, Sayth, That he knoweth not what is become of the Condi^cōn gyuen to Thomas Gregory, Yett he acknowledgeth th^t he passed a Condi^cōn unto the s^d Gregory for seauen yeares, for a small parcell of grownd adioyning to his plantaōn, or cleared ground.

Capt Tho:
Cornewaleys
v. Michaël
Baysey

Vid. fol. 178

The p^{lf} sayth th^t he understands th^t the Condi^cōn was for nine yeares, & th^t the dēft forced, in a manner the s^d Gregories Wife, after her husbands decease to leaue her howse builded on th^t grownd, & goe of her plantaōn allso, and further th^t the p^{lf} hath euer since made use of th^t grownd & howsing, & to th^t effect produceth these Testimonies.

Liber
P. C. R.
p. 239

Anne Cranly sayth uppon oath in open Court th^t the dēft did not putt her of, of her plantaōn: but told her th^t shee should not bring another to liue there wth her; for by th^t meanes hee mought bee eate out of howse & home, & shee further sayth th^t the Lease was missing, or lost halfe a yeare before her husband Gregory dyed.

Michàèl Cranley deposed likewise sayth, That Two yeares agoe hee saw Tobaccho stalkes uppon th^t plantaōn or grownd formerly belonging to Thomas Gregory, But saw not the Tob growing there, yett he beleiue th^t eyther Michàèl Baysey himselfe, or some other planted there th^t yeare.

Rob^t Macklin deposed allso sayth, That uppon th^t grownd w^{ch} was Gregories there was cleared grownd for about fiue thowsand plants, & th^t the Corne grownd was fenced together wth Michàèl Bayseys.

The Judgm^t of the Court is th^t the p^{tf}, being Admīstrato^r to the fores^d Thomas Gregory, ought to haue the benefitt of the Lease.

Ordered therefore th^t the dēft pay unto the Admīstrato^e 200^t Tob, & Two barrells of Corne, for the two yeares he made use of the s^d Gregories grownd: & make the p^{tf} satisfaction for the time remayning of the s^d Lease, or ells to deliuer quiett possesⁿ of the Land according to the Lease unto the p^{tf}.

Aprill 20th
1659
Husbands v.
Cooke

I miles Cooke, master or Coīnder of the ship Baltemore, doe hereby constitute & appoynt my louing ffreind Will^m Coursey gentⁿ my true & lawfull Attorney, to answere to all suites or accōns w^{ch} any wayes concerne mee this p^{nt} Court, And what my s^d Attorney shall doe herein, I doe hereby ratify & confirme, as if I were personally present, Binding my selfe moreou^e to pay all dammages, in w^{ch} my s^d Attorney shall be cast in, wittnes my hand

Wittnes, Will^m Bretton

Miles Cooke

To the hon^{bte} the Gouverno^r & Councell

The humble Petⁿ of Rich: Husbands Sheweth, That yo^r Pet^r hauing about seauen yeares since transported diuers Scotts into Virginia, sent them from thence into this prouince in his sloop, by Cap^t Cooke then yo^r Pet^{rs} mate, Who when hee came into this prouince, landed them att the howse of Will^m Edwin, where they remayned some time, the charge whereof yo^r Pet^r satisfied to the s^d Edwin. Yett soe it is, th^t about a yeare or two after, the s^d Edwin arrested Captaine Cooke, for the Charge the s^d Scotts had putt him to (yo^r Pet^r being then out of the Country) & thereuppon obteyned & serued an Execuōn uppon Three hogsheads of Tob aboard of the ship goulden ffortune Cap^t Tilghman Coīnder, for th^t debt formerly satisfied by yo^r Pet^r as afores^d to yo^r Pet^{rs} greate dammage.

In tender Consideraōn whereof yo^r Pet^r humbly prayes th^t hee may haue satisfaction for the s^d Tob, wth such dammages susteyned

by yo^r Pet^{rs} want of th^t Tob th^t yeare, being uery deare & yo^r Pet^r shall pray &c: Liber
P. C. R.

Whereas there appeares an account under the hand of Cap^t Miles Cooke for fīue hund^d twenty seauen pōwnds of Tob. p. 240

The Judgm^t of the Court is, th^t Cap^t Husbands summe Cap^t Cooke before Philip Caluert Esq^r Secretary of this Prouince, to giue a satisfactory answere, how th^t account was satisfyed, And both p^eties to stand to his arbitraōn or iudgm^t. Vid. fol. 265

This suite being on a Respite ordered the last Court the Dēft produceth these other wittnesses, & the former allso according to th^t former Order to be sworne Viue uoce att this Court.

Mr Raph
Crouch v.
Mrs Jane
ffenwick
Vid. fol. 175,
et seq.

Humphrey Warren deposed sayth That about this time two yeares, hee saw M^r Starkeys Mare, & Two stone Colts following her, The one being about an handfull lower then the other, & allmost of one colour, Only the lesser was more bay, & th^t hee uerily beleiueth th^t the horse now in dispute was one of those Colts, th^t this Depon^t saw following the fores^d Mare.

Leiu^t Thomas Trueman sayth, th^t hee tooke up M^{rs} ffenwicks Mare att S^t Maries, & kept her up in M^{rs} Stone Calfe pasture, And M^{rs} Stone riding to Mattapanian tooke the s^d Mare, & left her Colt behind, & comming home againe, the Colt was gone out of the pasture, And th^t this Depon^t stayd two dayes for the Colt, w^{ch} returned not, & thereuppon this Depon^t brought the mare up to M^{rs} ffenwicks Plantaōn wthout the Colt, & cannot say th^t the horse now in dispute bee th^t Colt or not.

John Biggers Depⁿ Vid Suprà fol. 176

Will^m Innis depⁿ Vid. suprà fol. 177.

Rob^t Mackay sayth That hee this Depon^t hath beene Groome to some Greate p^esons both in Scotland & England for the space of six yeares & being desyred by the dēft to looke in her Roand horse mouth, Doth declare th^t the s^d horse is fīue yeares old, In case th^t horses follow the same course in this Country as they doe in England.

Thomas Gerard Esq^r doth declare uppon his owne knowledge th^t the same markes, th^t was the rules in England, by experience this Depon^t doth find to bee true in this Country, & being intreated by M^{rs} ffenwick to looke in her Roand horse mouth, did, & doth thereuppon declare th^t the s^d horse is fīue yeares old this grasse

Tho: Gerard.

John Bogue, Sayth, That on the first of ffebruary last hee this Depon^t did goe wth the dēft to New-Towne to a Court & there meeting wth M^r Mathews, this Dep^t heard the dēft say to M^r Mathewes, th^t now shee had gotten further euidence concerning her

Liber horse, ffor sayd shee my neighbo^r John Reade being att S^t Maries
P. C. R. (about six weekes before I tooke up this horse) to take up a mare,
w^{ch} hee had brought of Cap^t Mitchell, & bringing her up wth Will^m
Boremans Mare into Cap^t Stone's Cow-pen, There was a Roand
p. 241 horse amongst them, w^{ch} was this horse of mine. The s^d John Reade
asking Rob^t Hill whose Roand horse th^t was? the s^d Hill replied th^t
hee was M^{rs} ffenwicks horse, Whereuppon John Reade asked the s^d
Hill to lend him a Roape, to take up the s^d horse, ffor (sayd hee)
I heard M^{rs} ffenwicke say, th^t shee will send downe for him, M^r
Mathews replied That hee would say, or sweare as much as all that
comes to, ffor this I can say (sayd hee) That this is the horse th^t
was allwayes taken for yo^{rs}.

John Bogue allso further sayth, That sometime in Octob^r last was
tweluemonth hee did goe wth M^{rs} ffenwick to S^t Maries to M^r Math-
ews howse, where hee heard M^{rs} ffenwick aske M^r Mathews, if th^t
he had seene her horse? Who presently asked her of what colour
her horse was? shee sayd, hee was a Roand horse, & had three white
feete, & a white stripe downe the face. M^r Mathewes presently
replied th^t that was none of his horse, for (sayd hee) my horse hath
fowre white ffeete, & is white from one eye to the other, But the
horse th^t hath allwayes gone in yo^r name M^{rs} ffenwick (sayd M^r
Mathewes) Cap^t Cornewaleys hath taken up, & hee is lame of his
legge, ffor Cap^t Cornewaleys hath made the s^d horse to swimme
ouer S^t Inego's Creeke, into my neck of Land, & wthout yo^u take him
up & looke after him, infallably hee will be lost, ffor wee (sayd hee)
did take him to bee the Preists horse, thinking th^t the neighbo^{rs} might
be mistaken in calling him allwayes yo^r horse: because wee knew
not, whither yo^u had a horse here or not. But this is the horse th^t
euer was called yo^r horse. M^{rs} ffenwick replied That shee was then
come downe on purpose to fetch home her horse, & for th^t end had
brought John Bogue wth her. But sayd shee I must goe to the
Crosse tomorrow to giue Cap^t Cornewaleys & his Lady a uisitt, & as
I returne back, I will take up my horse, Whereuppon M^r Mathewes,
sayd If the horse bee yo^{rs} M^{rs} ffenwick yo^u were best looke after
him, or infalliably hee will bee lost, ffor wee (sayd hee) looking up
Our horses lately, & finding a horse left wee tooke up this horse,
thinking th^t hee was the Preists, But (sayth hee) if the horse should
proue to bee the Preists, yo^u would haue satisfaction for yo^r labour
wth out question, M^{rs} ffenwick answered th^t shee would take up the
horse as her owne, & thereuppon desyred this Depon^t & her sonne
Cuthbert to goe take up the horse; M^r Mathewes being p^ent sayd,
That this horse had euer gone in the name of yo^r horse, untill wthin
these six weekes, And this Dep^t further sayth, th^t as soone as hee &
Cuthbert ffenwick came in sight of the s^d horse, hee this Depon^t sayd
That this is the horse by his Naturall markes, & as soone as hee this

Depon^t brought the s^d horse to M^{rs} ffenwicks, shee sayd th^t shee knew him by nothing but by his naturall marks, & further sayth not. Liber
P. C. R.

I Cuthbert ffenwick am able to sweare to all this as John Bogue in his former Deposⁿ, Excepting only, I doe not remember th^t I heard M^r Mathewes say, th^t Cap^t Cornwaleys had made the horse, wthin mentioned, to swimme ouer S^t Inegos Creek into M^r Mathewes neck of Land. p. 242

Cuthbert ffenwick.

Martin Kirk aged 42 yeares sworne sayth, That about Michàèlmas last was fowre yeares or thereabouts, this Depon^t comming from S^t Marie to his owne howse, & sitting downe in the woods to take a pipe of Tob. did see a white roand horse colt, wth a white streake downe the face, quite to the nose & did see the s^d Colt runne to M^{rs} ffenwicks white mare (w^{ch} Docto^e Barber now hath) & suck her. This was uppon the left hand of the path, And uppon the right hand of the path there was a Roand Mare, & a Browne Bay Colt, & a Black mare & Colt, & many other horses, but whose they were this Depon^t knoweth not. And this Depon^t further sayth th^t the Roand horse now in the possesⁿ of M^{rs} Jane ffenwick is the same horse th^t hee saw suck M^{rs} ffenwicks mare in the woods as afores^d & further this Depon^t sayth not.

The Depos^{ns} appearing positieue, It is Ordered th^t M^{rs} ffenwicke keepe & possesse the s^d horse.

In this Cause John Anderton Gentⁿ deposed Sayth, That M^{rs} Rob^t Taylo^r told M^{rs} Eltonhead when shee deliuered the note, for to demand his the s^d M^r Taylo^{rs} Bill from Will^m Berry, That hee would pay her the Order of Court w^{ch} was ffueteene hund^d powns of Tob, And th^t hee was glad hee had th^t note to demand his Bill in, & would rather pay it to her, then to another. And th^t that Bill due from M^r Taylo^r, was belonging to M^r Scarborough. Mrs Jane
Eltonhead v.
Mr Edm:
Scar-
borough

Whereas the p^{tf} by writt of scire-facias hath summond M^r Rob^t Taylor & James Veitch unto this Court, to shew cause why Judgm^t should not passe, And Exeqⁿ issue forth agst the Estate of M^r Edmond Scarborough (according to a former Order of Court in this prouince) for ffueteene hund^d powns of Tob & Cask, There being much more of the s^d Scarboroughs Estate in their hands as shee supposeth. The s^d Taylo^e making appeare to the Court th^t hee hath payd out of a Bill due to M^r Scarborough of Two thowsand three hund^d powns of Tob, by Execu^on & Receipt one thowsand fowre hund^d Twenty seauen powns of Tob. It is Ordered th^t the s^d M^r Taylo^r pay the Remainder of the s^d Bill to witt seauen hund^d seauenty Three powns of Tob unto the p^{tf}, And th^t the p^{tf} be left, to gett the residue of her demand, according to law elsewhere.

Liber
P. C. R.
Attorney
General v.
Goosey &
Barbery

M^r Attorney Graff on the behalfe of the L^d Prop^e doth present Samuel Goosey & Thomas Barbery for putting of, or paying a hogsh^d head of Tob wth grownd leaues contrary to the Act of Assembly last yeare.

p. 243 And the Gouverno^e uppon their submission, & promise of amendment for the future, hath pardoned & dismissed them, Only they paying M^r Attorney his ffee for prosecuting, to witt, Two hund^d & fifty pownds of Tob.

To the hon^{bte} the Gou^e & Councell of Maryland

Cary v.
Golson

The humble Petⁿ of Thomas Carye Sheweth That whereas Daniel Golson is & standeth indebted unto yo^r Pet^r one Cow wth Calfe, or a Calfe by her side: w^{ch} yo^r Pet^r liketh best to chuse, w^{ch} Cow & Calfe was to be deliuered to yo^r Pet^r or his assignes att or uppon the last day of Aprill, or the first of May last past according to Agreem^t made betweene them both, as shall be made appeare. Now soe it is th^t the s^d Cow hath bene seuerall times demanded, & noe deliuey made thereof to the dammage of yo^r Pet^r, for the want thereof.

Yo^r Pet^r therefore prayeth for an Order for satisfaction of the s^d Debt wth Costs of suite, & da^mage susteyned, & hee &c:

The p^{tf} produceth in Court testimonies to proue what is alleged in his Petⁿ agst the dēft.

Will^m Chaplin sworne sayth, That M^r Carye receaued the last yeare of Dan: Goulson Two hogsh^ds of Tob, Both w^{ch} after prouing faulty, were broake up, & One hogsh^d made thereof, the s^d Goulson consenting therto. And in Considera^on of the Remainder of the Tob, M^r Carye Returning also some Corne to the s^d Goulson, was to haue deliuered him by the s^d Goulson One Cow wth calfe, or a calfe by her side by the last of Aprill or the first day of May last past.

Thomas Wright Jurat idem.

Vid. fol. 293 John Knap being lawfully summoned as a wittnes in this Cause & appearing in Court. But refusing to giue his testimony uppon Oath, Is adiudged to pay unto the L^d Proprietary five hund^d pownds of Tob according as is specified in the writt. Exeqⁿ issued &c:

The dēft (by his Attorney) sayth That hee is much intruded on, when as the Two hogsh^ds (afterwards repack't) made one good hogsh^d weighing 500^l Tob. & th^t there was noe lawfull demand made of the Cow.

But it being proued in Court, th^t the p^{tf}s Ouerseer went seuerall times to the dēft, & demanded this Cow, att the day agreed uppon: & that the dēft had not any of his owne proper stock then fallen, when demanded, but what did to his Children belong: & being their Estate.

It is Ordered th^t the p^lf choose out of the dēfts owne stock One Liber
Cow, & one calfe, th^t was calued about the last of Aprill or in May P. C. R.
following. And the dēft to pay Court charges.

Whereas Cap^t Thomas Cornewaleys hath petitioned this Court for Cornewaleys
an Order agst the Estate of Cap^t Will^m Mitchell for One Thousand v. Mitchell
pounds of Tob. attatched in the hands of M^r John Bateman, the Vid. fol. 311
Attatchm^t being Ret. this Court, It is Ordered th^t the Attatchm^t be & fol. 324
continued, & th^t the Executo^r or Admⁱstrato^r haue notice gyuen him, p. 244
by the next Prouinciall Court, Otherwise the Court to proceed to
Judgm^t in case noe appearance be made.

Whereas att the last Prouinciall Court held 24^o ffebruary M^r Re Dandy's
Attorney Gra^l on the behalfe of the L^d Prop^e demanded a serut, Estate
as belonging to the Estate of John Dandy, of M^r Richard Hotchkeys, Vid. fol. 163
W^{ch} Cause was then respited till this Prouinciall Court, to the end th^t
ffrancis the Wife of George Beckwith bee p^ent in Court, as by the s^d
Order may appeare. According to w^{ch} s^d Order George Beckwith
on the behalfe of his Wife appearing & being not able to proue the
contrary, but th^t Judgm^t passed agst John Dandy, by reason of her
misdeano^r, shee then lyuing in the s^d Dandies howse, as by another
former Order may allso appeare.

The Judgm^t of the Court is th^t the s^d ffrancis ought to satisfy to
the L^d Prop^e th^t seauen hund^d & fifty pounds of Tob, recouered out
of the s^d Dandies Estate (by reason of her misdemeano^r) according
to th^t Order of Court.

And Ordered th^t George Beckwith, married the s^d ffrancis, &
possessing her Estate, satisfy the same to the L^d Prop^e as afores^d.

The p^lf sheweth by his Petⁿ, th^t he did worke for the dēft att Hugh Bevin
Hebdens Poynt, for w^{ch} he demandeth 1640^t Tob, W^{ch} the dēft will v. Mr Symon
not allow, & refuseth to satisfy. And further th^t he made the dēft Ouerzee
his Attorney to receaue certaine Tobacco, in Virginia due to him,
w^{ch} the dēft denyeth to haue receaued, (though the p^lf beleiueth or
supposeth the Contray) & will not come to an account therefore, &
To proue his first allegaōn produceth his testimonies.

James Hall deposed sayth That himselfe sett up the fframe of a
howse twenty foote long, & fueteene foote wide (all but the studds)
att Hebdens Poynt, And further th^t hee this Depon^t putt up the
Posts of the Welch Chimney, All the Rest of the worke Hugh Beuin
finished, And th^t he saw the s^d Beuin att worke on the other Twenty
foote howse, but cannot declare whither the s^d Beuin finished it,
or not.

Edmund Nanfan deposed sayth, That hee was p^ent att the bargain
made betwixt Richard Abrahall & Hugh Beuin, And Beuin was to
sett him up, Seauentie ffoote of howseing; whereof there was a
twenty foote howse built, And the frame of the fifty foote howse

Liber was brought in place, & some boards riud' for to couer it, & drawne
P. C. R. allso, And M^r Ouerzee sayd hee would not meddle in it, butt bad
Abrahall goe through wth the bargaine.

Peter Caradin sayth uypou Oath That Seauenty foote of howseing
was agreed uppon to bee built att Hebdens Poynt. This Depon^t
helping to bring in the timber, The twenty foote howse was built by
Beuin; & the fframe of the fifty foote howse brought in place, But
the finishing thereof was neglected by reason of the want of helpe
to attend the Carpenter.

p. 245 To all w^{ch} the dēft Sayth, th^t hee made noe Condi^cōn or agreem^t,
for the s^d building wth the p^lf : & therefore the p^lf ought to seeke his
remedy agst him who sett him to worke.

And the p^lf inferreth th^t the dēft was Copartner wth him, who
hyred him.

Edmond Nanfan deposed, sayth, That Richard Abrahall declared,
and shewed him this Depon^t a Condi^cōn wth M^r Ouerzee, w^{ch} was
for Ten Cowes, & the Land att Hebdens Poynt, & some other things.

And the dēft sayth th^t there were noe Condi^cōns written & signed,
but only certaine Verball Condi^cōns of partnership passed betwixt
Abrahall & himselfe, Yett denyeth not but th^t there mought bee some
heads of agreem^t or condi^cōns, & w^{ch} might perhaps bee written by
himselfe about their partnership, w^{ch} was intended.

Vppon the Euidences allready gyuen It is Ordered, th^t the dēft
pay unto the p^lf six hund^d pownds of Tob forthwth, in considera^ōn
of his labou^r allready imployed att Hebdens Poynt. And further th^t
the p^lf sett up & finish the fifty foote Tob howse, & ryue sticks to
hang Tob on : wth other things necessary to putt Tob in, by the last
day of August next ensuing, Prouided th^t the dēft assist, & find
sufficient help to gett in the timber in place, for the finishing the
same : wth other necessities according to the former bargaine.

Whereas in the last part of the p^lfs Petⁿ or allega^ōn, hee sayth th^t
hee appoynted the dēft his Attorney, To w^{ch} the dēft sayth, That hee
hath not receaued any of the p^lfs debt in Virginia, And produceth
certaine accompts & Bills of the P^lfs (w^{ch} being cast up) amount to
1649^t Tob, w^{ch} he hath payd for the p^lfs use as is alleaged, & there-
fore desyres iudgm^t of Court for the same, Whereuppon the p^lf
acknowledgeth himselfe in open Court, to owe & stand indebted unto
M^r Symon Ouerzee dēft, in the full summe of One Thowsand fwe
hund^d fowrty nine pownds of Tob, & Cask, & doth further acknow-
ledge Judgm^t for the same.

The Court adiorned by the Gou^e till tomorrow morning.

Cornewaleys v. Wade Cap^t Thomas Cornewaleys demands warr^t agst Zachary Wade.
warr^t to the Sheriffe to arrest &c : & to putt in security to answere
to the Compl^t of Tho : Cornewaleys in Chancery, Concerning a seru^t
deteyned & belonging to the Estate of Cap^t Will^m Mitchell.

Writt to the Sheriffe to warne Will^m Woodroffe to attend the Court to testify in ditt. caâ. Subpœnâ 500^t Tob. p Za: Wade

Liber
P. C. R.

Writt to the Sheriffe to warne M^r Joseph Wicks to attend the Court to testify inter John Salter, & Thomas Sowth, Sub pœnâ, 500^t Tob. p Salter.

Salter v.
Sowth

Saturday 23th Aprill 1659.

All p^ent as yesterday

April 23
p. 246

To the hon^{bte} the Gouverno^r & Councell of Maryland.

Thomas
Cornwaleys
v. Henry
Ellery

The humble Petⁿ of Thomas Cornwaleys Sheweth, That where-as Will^m Stephenson did surreptitiously gett into his possesⁿ a large fowling peece of yo^r Pet^{rs}, W^{ch} being demanded by yo^r Pet^r of the s^d Stephenson, or th^t he must enter an acc^{on} agst him for it, being then in p^eson att the first Pou: Court, held for this prouince by this p^ent Gou^r. The s^d Stephenson desyred yo^r Pet^r to forbeare &, promised satisfaction therefore to yo^r Pet^r. But he neuer came before his death, since w^{ch} yo^r Pet^r hath demanded satisfaction of the Widow, & of Henry Ellery now husband to the Widow, But both refuse, Wherefore yo^r Pet^r humbly prayeth the s^d Ellery may bee Ordered to returne the s^d gunne p^efectly fixed, or satisfaction therefore, & hee shall pray &c:

To the Petⁿ of the p^{tf}, The Dēft sayth That Cap^t Waring & other soldiers, who came from Seauerne deliuered this Gun, now in dispute to M^r Stephenson his predecesso^r, & att his earnest request: It being taken by them from out Cap^t Stones howse.

Patrick fforrest aged 30 yeares or thereabouts sworne & examined this 9th of Aprill 1659 Sayth, That in Aprill Año 1655, being att Cap^t Stones howse, (there being M^r Durand, Cap^t Waring, Cap^t Smith, Cap^t Wicks & seuerall others newly arryued from Seauerne) he this Depon^t heard M^r Stephenson make a great complaynt for a gun; Saying hee was a stranger, & newly come into the Country, & th^t it would bee a greate preiudice to him if they tooke his gun away, & hee complayned likewise th^t hee could not find his owne gun, or words to th^t effect, & hee this Depon^t sayth, th^t he heard those aboue mentioned, to bid him goe into the Hall, & make choyce of a gun, & further sayth not.

Patrick fforrest

Sworne before mee Richard Willan

Cap^t Sampson Waring informeth the Court th^t M^r Stephenson had a gun deliuered him from out Cap^t Stones howse, but whither it was his owne gun or not, hee cannot remember.

It appearing to the Court th^t the s^d Stephenson hid first his owne gun, & then came, & entreated for a gun; & soe had another gun deliuered him (as the dēft himselfe acknowledgeth, & th^t he brought

Liber Two guns to his owne howse home wth him) When as the Soldiers
P. C. R. who gaue the s^d Stephenson th^t gun intended, but one gun only to
him.

It is therefore Ordered (it not being wthin the compase of each
of the Articles) That the dēft eyther restore the s^d gun or ells
satisfaction therefore to the p^{tf}, according as is demanded in his
Petⁿ wth Costs of suite.

Cornwaleys Zacharias Wade Adm̃istrato^r of John Wade Chyrurgeon acknow-
v. Wade ledgeth Judgm^t to Cap^t Thomas Cornwaleys for sixty seauen
p. 247 pounds of Tob, It being the remainder of a Bill due to the s^d Cap^t
Cornwaleys from the s^d John Wade, for fowre hund^d & seauen
pounds of Tob.

To the hon^{bte} the Leiu^t & Councell of Maryland

Williams v. The humble Petⁿ of John Williams humbly Sheweth That yo^r
Overzee Pet^r made a Crop of Tob & Corne the last yeare att M^r Symon
Ouerzees. All w^{ch} Tob & Corne the s^d Ouerzee deteyneth & denyeth
to giue yo^r Pet^r any account thereof. Reseruing what euer did
belong to yo^r Pet^r, to his owne priuate use. W^{ch} yo^r Pet^r conceiueth
by his late fault, (by yo^r Clemency pardoned) to belong rather to the
L^d Prop^r, Now soe it is th^t yo^r Pet^r is left destitute hereby of all
subsistance for the future, & for want of Corne, not able to worke
for the maintenance of himselfe, & his poore family this yeare
following.

According to yo^r hon^{rs} former clemency yo^r Pet^r most humbly
requesteth th^t hee may haue his Corne allowed him for his subsist-
ance only & those waring cloaths w^{ch} M^r Ouerzee deteyneth & hee
shall euer pray &c:

To the p^{tf}s Petⁿ the dēft sayth, That the Corne w^{ch} the p^{tf} made
on his grownd this last yeare was not considerable, when he the dēft
had taken 4 or 5 shares out of it; & the p^{tf}s share could not bee
sufficient to mainteine him, his Wife, & child, & therefore hopeth th^t
the Court will not compell him to allow the p^{tf} Corne for all his
family. And as to the Cloaths, the dēft sayth th^t though he p^emitted
the p^{tf} to weare them, yett they did not belong unto him as his owne,
when as they were the cloaths of his seruants who dyed in his howse,
Besides th^t the p^{tf} is indebted unto the dēft, & not able to satisfy him,
his debt.

The Court considering, th^t according to the Law & Custome of
this Prouince noe Inhab^t thereof ought, or may be dep^{ry}ued of all
liuelyhood & subsistance: & th^t Corne & other necessities allso haue
bene protected from Exequuōns: & the p^{tf} hauing made a Crop, both
of Corne & Tob, att the dēfts howse, & for the dēfts benefitt, as is
supposed.

It is therefore Ordered th^t the dēft pay unto the p^{tf} Three barrells of Corne eyther att his owne dwelling howse of S^t Johns or betwixt his howse & S^t Hierom's wth in one month. Liber
P. C. R.

Calu^et County. Command William Dorington & Anne his Wife to hould to Richard Smith of S^t Leonards Creek in Caluert County in an accōn of Couen^t to him the s^d Rich: Smith of One hund^d Acres of Land, Lying on the West side of S^t Leonards Creeke (called Smiths Joy) one dwelling howse, one quarter howse, & one Orchard, Three Tob. howes &c: Smith v.
Dorington

Josias ffendall

And the finall Concord betweene the fores^d parties is, That the s^d Richard Smith shall peaceably enioy, the s^d hund^d Acres of Land, mentioned in a Patent or Graunt to him the s^d Will^m Dorington bearing date the fowrth day of August 1658, & Lying on the West side of S^t Leonards Creeke as afores^d wth one dwelling howse, one quarter howse, one Orchard & Three Tob-houses, to him & his heyres or assignes for euer. p. 248

Whereas James Veitch p^{tf} hath petitioned this Court agst John Day, Alleaging how the s^d Day being arrested att the suite of Will^m Chaplin, & refusing to putt in security to answe^r the s^d suite the p^{tf} was obliged by uertue of his Sheriffs Office to secure the dēfts person for one hund^d & seauen dayes, for w^{ch} he demands 2140^t Tob of the dēft. The dēft sayth th^t he refused not to putt in Bayle: for hauing occasion to goe ouer the Riuer about his affayres he profered him M^r Tho. Thomas to be his Bayle; & th^t he remayned wth the p^{tf} about Ten dayes before he profered him this security, during w^{ch} time the p^{tf} tended on him not aboue three dayes att the most, & further th^t the p^{tf} permitted & allowed him to goe & stay att his owne howse, (w^{ch} the p^{tf} himselfe acknowledgeth hee did) Veitch v.
Day

The Judgm^t of the whole Board is, th^t the dēft pay unto the p^{tf} (for those three dayes hee tended on him, as his prisoner) sixty pownds of Tob & noe more, & allso pay Costs of suite.

To the hon^{bte} the Leiuten^t & Councell of Maryland

The humble Petⁿ of Thomas Gerard Sheweth That John Jarbo, & Walter Pakes being indebt^d ioyntly unto yo^r Pet^r by Bill Thirteene hund^d & Twelue pownds of Tob & cask, yo^r Pet^r hath seuerall times demanded the same, yett they still putt of yo^r Pet^r wth delayes, much to his hinderance this yeare. Gerard v.
Jarboe and
Hall

Hee humbly therefore Craueth Order for p^ent satisfaction &c:

To this demand Walter Hall dēft sayth, That hee hath payd by the p^{tf}s order to M^r Henry Meese seauen hund^d Twenty one pownds in part of th^t Debt, as appeareth by his Receipt on the back side of

Liber the Bill, And as for the Remainder being five hund^d Ninety one
P. C. R. pownd, the s^d Wallter Hall in behalfe of himselfe, & John Jarbo
 acknowledgeth Judgm^t for the same in open Court.

Gerard v. To the hon^{bte} the Leiuten^t & Councell of Maryland &c:
Evans

The humble Petⁿ of Thomas Gerard Sheweth That yo^r Pet^r had an Exequuōn serued uppon his Estate by the appoyntm^t of Cap^t Will^m Euans, who hath charged yo^r Pet^r in his writt of Exeqⁿ five hund^d fowrty Two pownds of Tob more then is due to him, & more then yo^r Pet^r ought to pay, for the Costs of th^t suite.

Hee humbly therefore craueth th^t by Order of this hon^{bte} Court
 p. 249 the s^d Cap^t Euans repay unto yo^r Pet^r, the s^d summe soe uniustly
 executed; much to yo^r Pet^{rs} dishono^r, wth dammage, And &c:

The dēft sayth That according to th^t former order of Court & Verdict of the Jury, hee had Costs of suite gyuen & allowed him, And this Costs, whereon the p^{tf} demurreth, was for Sheriffs ffees, & Clerks ffees, expended att Patux^t Court, (before the late surrender of the Gouvern^t) & to them payd, as he can make appeare, & further th^t he hath not receiued yett one pownd of Tob Executed, from the Sheriffe. And the p^{tf} affirming th^t he profered the dēft paym^t of his whole demand, saue only 442^t Tob, And Euidencing to the Court, th^t the Sheriffe hath Executed 1362^t Tob. for damages only.

It is Ordered th^t five hund^d & Twelue pownds of Tob, (it being Costs expended in th^t former Patux^t Court) be deducted out of the fores^d su^me & repayed back unto the p^{tf}, by the dēft, wth Costs of suite. M^r Secr Judgm^t is, th^t the Sheriffe ought to be respōsable for the Tob deducted, & not the p^{tf}, M^r Clearke ide^m Reliqui rēs ut Suprà.

Re Chandler Cap^t Sampson Waring brought in M^r Chandlers Bill for his fine for 15000^t Tob dat 27th day of Aprill 1655 W^{ch} is Cancelled in Court.

Attorney M^r Attorney on the behalfe of the L^d Prop^r complayneth agst
General v. Thomas Thurstone, & requesteth that hee be brought afore the Board
Thurston to answere for himselfe, ffor th^t in contempt of his L^{ps} Lawes he
3 Md. Arch. refused formerly to subscribe take the Ingagem^t (according to Act
Coun. 353 of Assembly prouided) for w^{ch} hee hath bene already banished. Yett notwithstanding hee hath presumed againe to come into this prouince, & refuseth still to comply & fullfill the Law, & take oath of ffidelity to his L^p as is in th^t Case prouided, uppon his returne into the prouince againe. Whereuppon the Prisoner being demanded what he hath to say in that he hath broken the Law? & not giuing notice of his arryuall &c. To w^{ch} He sayth, he ought not, & cannot sweare, & that being pressed wth an Oath, sayth, thereby he is denyed his liberty, & the liberty of a Subiect.

M^r Attorney proceedeth & sayth, That his Disciples or ffolowers by his instigaōn & Councell are the only persons, who comply not, but breake the Lawes of this prouince & therefore desyres the Court to proceed to Judgm^t.

Liber
P. C. R.

And thereuppon It is Ordered, th^t according to the Act the s^d Thurstone remaine in the Sheriffs Custody close Prisoner wthout bayle or mainprize for a Tweluemonth from this day, unlesse the Gou^e & Councell shall see cause to release him sooner.

Mittimus to the Sheriffe according to the Order.

Richard Smith Attorney Generall on the behalfe of the Right hon^{ble} the Lord Proprietary of this Prouince Sheweth That Daniel Hutt Master of the Barke called the May flower, not being an Inhab^t of this Prouince, did wthout Lycence uppon the 29th day of March last, att Pamaunkey, in Pascatoway Riuer, & diuers times since wth the Indians, Inhabitants wthin this Prouince for Corne unlawfully trade; & in the s^d Barke, the s^d Corne endeauo^r unlawfully out of the Prouince to transport, wthout lycence first had & obteyned contrary to the seuerall Lawes, in th^t Case prouided. And prayeth th^t the Court will according to the s^d seuerall Lawes agst the s^d Hutt, & the s^d Vessell to proceed. The dēft sayth th^t hee hath not broken the Laws or Acts of this Prouince in soe trading, as is alleaged, And if any thing was committed by him in th^t kind, was through ignorance done, & not in contempt of the gouern^t or Lawes of the Prouince. And preferd' his Petⁿ to the Board to th^t effect.

p. 250
Attorney
General v.
Hutt

Whereuppon the Wittnesses were examined.

Thomas Payne sworne in open Court, Sayth, That hee went in the Vessell belonging to M^r Hutt up Patowmeck Riuer, to a Towne called Pamaunkey & th^t the Indians brought Corne to the shoare side, & the Barks company in their owne Boate fetcht itt aboard. And th^t there were more guns in the Vessell then usually they did carry to secure it: But knows not whither any of the s^d guns were sold or noe: neyther saw hee any of them carryed from aboard, And th^t hee hath seene but little powder in the Barke, Nor knoweth hee wth what kind of Truck, the Corne soe brought on board was purchased wth, from the Indians, (hee being neuer but once ashoare), & that M^r Dodman & one Maphey went up the Riuer in the s^d Vessell allso.

John Walton aged 36 yeares, or there abouts sworne & examined sayth That Cap^t Stone, & hee this Depon^t, being up att Patowmeck, in Patowmeck Riuer, mett there M^r Daniel Hutt wth a Barke, & th^t the Barks Boate was up the Creek trading wth the Indians, & Daniel Hutt, & Robert Maphyes tould this Depon^t, th^t they had bought more Corne then they had yett aboard & he further declareth, th^t the same day hee this Depon^t was buying Corne & the s^d Maphyes

Liber bought the Corne from him of the Indians, hee paying in priuate for
 P. C. R. it, soe th^t this Depon^t knoweth not what Truck, they gaue for it, &
 further sayth not

Jurat Cora Josias ffendall

John f Walton
 his marke.

Attested allso by the s^d Walton in open Court.

Thomas Mitchell Mariner aged 38 yeares or thereabouts sworne &
 examined sayth That about the 29th of March, hee went up Patow-
 meck Riuer in the Vessell commonly knowne by the name of the
 May fflowre, (Danil Hutt Master) unto an Indian Towne, where
 they tooke in Corne, but the quantity he knoweth not, ffurther he
 p. 251 sayth th^t the s^d Corne was purchased wth wampompeck, or Roanoke.
 And th^t M^r Dodman, & a stranger was wth them, whose name this
 Depon^t knoweth not, & further sayth not. Thomas P. Mitchell
 Jurat Coraⁿ Josias ffendall. his marke.

Thomas Jaruisse aged 24 yeares or thereabouts, sworne & examined
 Sayth, That being wth the Gouverno^r att Pamaunkey 5^o Aprilis last,
 was told by the Indians, That the Vessell w^{ch} was there att that time
 trading belonging to M^r Hutt, brought up a greate many guns, &
 powder & shott & further sayth, th^t hee saw a new gun, th^t an
 Indian had, And further sayth not. Thomas Jaruisse.

Jurat Cora Josias ffendall.

John Lee aged 24 yeares or thereabouts sworne & examined &
 being asked whither there were any Guns carryed up wth them in
 their Vessell, more then for their owne use, Sayth that there was:
 but knoweth not, th^t any of them were sold to the Indians, And th^t
 hee did not see them comming downe, nor since he came downe: &
 therefore supposeth them to bee M^r Dodman's guns, And further
 That hee knoweth not whither the master knew of them or noe;
 but the s^d Guns lay open to the publicke ueiw in the hold, And being
 further asked, whither they tooke in any Corne at M^r Adam's howse,
 or att any other Englishmans howse? Answereth, That they tooke
 in Corne att noe other place, but only att the last Indian Towne they
 were att, w^{ch} hee heard called, by the name of Pamaunkey & sup-
 poseth th^t this Corne was bought wth Roanoake, & further sayth not.

Jurat Coraⁿ Josias ffendall

John Lee

Attested allso by the s^d John Lee in open Court.

And the Court, uppon a full hearing of both parties, Examinaõn
 of the Wittnesses, & consideraõn of the Corne on board the s^d Vessell,
 taken by order from the Gouverno^r, Judged th^t the s^d Vessell, wth all
 her furniture and Loading bee & are forfeited to the L^d Proprietary,
 according to the seuerall Acts for Trade, provided.

The Court adiorned by the Gouverno^e till Munday morning 8
 o'clock

Munday 25^o Aprill 1659Liber
P. C. R.
April 25
p. 252Pnt^e

Josias ffendall Esq^r Gou^r, Co^m Nath: Vtie, M^r Baker Brooke
Philip Caluert Esq^r Sec^r, D^r Luke Barber M^r Edw: Lloyd.
m^r Rob^t Clearke

Whereas att the last Prouinciall Court held att S^t Maries p^o Martij, his L^{ps} Attorney on the behalfe of the L^d Proprietary charged M^r Symon Ouerzee wth Theftboote & then produced his euidence to proue the same; w^{ch} euidence was accepted by the whole board, & the Cause by authority of that Court Respited, & ordered to be determined att the next Prouinciall Court.

Attorney
General v.
Overzee
Vid. fol. 201
[Theft boot=
compound-
ing the
felony of
theft]

M^r Symon Ouerzee sayth, th^t hee neuer did contract wth Daniel Clocker, to any such intent, as is alleaged by M^r Attorney. And as to those Bills he receaued, & those accounts allowed of the s^d Clockers, were in satisfaction of his owne proper Debt, w^{ch} the s^d Cloker owed him, & w^{ch} he demonstrated to the Board, by his Booke of Accompts, att the last Court. And after long debate of the s^d Cause, M^r Ouerzee craueth for a Jury to consider, & giue in euidence, whither or noe hee may or ought to stand Charged wth the ffact M^r Attorney bringeth agst him, w^{ch} (through his intreaty) was graunted

Warr^t to the Sheriffe to impanel a Jury of 12 men forthwth

Sheriffe Returnes his warr^t & Warned

fforemaⁿ

M ^r John Pille	M ^r Rich: Wells	M ^r John Reade,
M ^r Hugh Stanley	Cap ^t John Odber	M ^r Will ^m Ewens
M ^r Tho: Manning	M ^r Humphrey Warren,	Rich: Games
Leiu ^t Tho: Trueman	M ^r Will ^m Parrott,	Peter Joy.

Inditem^t Lett it be enqyred for the L^d Prop^e whither Symon Ouerzee of S^t Johns, in the County of S^t Maries merch^t, Sometime in the month of Nouemb^r last past did fraudulently contract wth Daniel Clocker for 3000^t Tob or thereabouts, on purpose to beguile those iust Lawes instituted for the punishm^t of Malefactor^s wthin this Prouince, Contrary to the peace of his s^d L^p his Rule, & gouern^t.

And the Jury Returning, brought in their Verdict, written on the backside of the Writt, & deliuered by their fforeman.

Ignoramus.

To the hon^{bte} the Gouverno^e & Councell

Pille v. Hall

The humble Petⁿ of John Pille Sheweth, That whereas M^r Walter Hall standeth indebted to yo^r Pet^r in the Just summe of 977^t of Sweet sented Tob & cask, yo^r Pet^r humbly craueth Order for satisfaction, for the s^d Debt wth forbearance & costs of suite &c.

Liber
P. C. R. Whereas Mr John Pille p^{tf} hath formerly arrested & sued Walter
Hall dēft, in the County Court of S^t Maries County held att New
Towne on the first day of ffeb: 1658, in an accōn of Debt of 977^t
Tob & Cask, W^{ch} s^d Cause was before the Comis^{rs} of th^t County
then heard & Respited till the next County Court, And whereas att
the next Court on the 22th of Aprill following Mr Walter Hall ap-
pealed to the next Prouinciall Court for this Prouince, W^{ch} was by
p. 253 the Commis^{rs} then p^{ent} in Court graunted, & Ordered th^t the s^d
Walter Hall put in sufficient security for his appearance att the next
Prouinciall Court, & pay dowble Costs & Da^mages in case hee bee
cast in th^t s^d suite, (as by the order of th^t County Court afores^d may
appeare) And thereuppon the s^d Mr Pille hath petitioned this Court
for his fores^d Debt, Mr Hall dēft sayth th^t hee made a Couen^t wth the
p^{tf} to be his Ouerseer & take care of his seruants for some certaine
time; & was to haue the benefitt of the p^{tf}s Plantaōn during th^t time,
But the p^{tf} sold the Plantaōn before the time exspyred by Condi^cōn,
contrary to the dēfts will or knowledge, much to his dammage &
hinderance.

The Deposⁿ of Will^m Waynhames aged 20 yeares

Sworne in open Court, p^o ffeb. 1658. Sayth That Mr Hall sayd
to this Depon^t, hee would see the sweet sented Tob hangd before hee
would plant any more of it, for it would undoe him, And his intention
was, as this Depon^t uerily beleiueth to plant noe more of it. Mr
Pille being in discourse wth John Greenwell, the s^d Greenwell asked
Mr Pille, If hee would lett him haue his Plantaōn wth all his heart?
Answered noe, wthout Mr Halls consent, And Mr Hall being asked,
sayd, It was his will it should be sold wth all his heart, for he would
not be against it. Mr Hall allso went out of the howse when posses-
sion was gyuen. Mr Hall being in the upper part of the feild neare
the Thacht' Tob howse, was asked by this Depon^t whither the Corne
was his? Answered it was his Masters, hee had nothing to doe wth it.

And the Allegaōns of both parties being heard & fully considered
by the Court, And th^t the Plantaōn was sold wth the dēfts consent, as
appeareth by Waynhams Oath, perused & read, The Judgm^t of the
Court is, th^t the p^{tf} ought to recouer his Tob. according to Couen^t

It is therefore Ordered by the Court th^t Mr Walter Hall dēft pay
unto Mr John Pille p^{tf} Nine hund^d seauenty seauen pownds of Tob &
Cask, wth dowble da^mages & Costs of suite according to the former
Order of the County Court.

Cary v.
Golson Nonsuite is Graunted to Daniel Goulson agst Thomas Carye, in
his accōn of Case, wth Costs & Dammage.

Re Norwood Whereas John Norwood hath petitioned this Court for satisfaction
& order uppon the Bills & specialties by him taken for seuerall

summes of Tob to him due for ffees & dyett, since the Engagem^t att Anarundell & whereas the s^d Tob hath bene seuerall times demanded, & not yett payd or satisfyed, hee being meerey. on th^t account out of purse 4000^t Tob, or thereabouts, ouer & aboue his dayly care & trouble, Besides for satisfaction of his Charges, & like trouble since arysing, by mennes & account of the Quakers, much to his hinderance. It is Ordered th^t his Petⁿ be Respited. And th^t hee shew and procure the Order or Writt, whereby the parties were committed, & summe in the parties by him Charged, as in his Petⁿ to the next, or the next Prouinciall Court after, as hee shall see cause.

Liber
P. C. R.

p. 254

Whereas Cap^t Will^m Euans Admistrato^r of the Estate of Cap^t John Bariffe tooke out writt of Scire facias agst John Mackenny, to shew Cause &c: for 400^t Tob, And the s^d writt being serued, & the s^d Mackenny therby lawfully summoned. Yett not appearing eyther by himselfe or Attorney att this Court.

Evans v.
Mackenny
Vid. ent.
fol. 217

It is ordered th^t the plf haue Exeqⁿ according to the writt & former Order of Court.

Know all men by these p^ents th^t I Arthure Turner of Charles County gentⁿ haue assigned, ordayned & made, & doe by these p^ents in my stead and roome putt, constitute, & appoynt my true & welbeloued ffreind George Thompson of the s^d County, my true & lawfull Attorney in the suite now depending betweene Lucie Stratton, & mee the s^d Turner. Gyuing & by these p^ents graunting unto my s^d Attorney full power & authority in the premises to doe, say, p^eforme, conclude & finish for mee & in my name, & to my use & behoofe to doe, say, or cause to be done & sayd all & euery such Act & Acts, thing & things, deuice & deuices in the Law whatsoeu^e for the defence of my cause, & the recouery of my charges soe maliciously throwne uppon mee, Ratifying & allowing & holding firme & stable all & whatsoeu^e my s^d Attorney shall lawfully doe, or cause to bee done, in or about the premises by uertue of these p^ents. In wittnes whereof wittnes this my hand this 15th of Aprill Año 1659.

Stratton v.
Turner

Wittnes

Arth Turner

Will^m Waring.

This Case following wth all the Depos^{ns} as they are here inserted is thus sent up by George Thompson Cler of Charles County Court unto this Prouinciall Court.

Whereas there was a Court held in Charles County the 6th of January 1658 to w^{ch} Court Lucie Stratton arrested M^r Arthure Turnor, in an accōn of the Case. W^{ch} Case shee then expounded to bee, for the mayntenance of a Child by him of her begotten, as shee alleageth, ffor w^{ch} Case (after th^t they had troubled the Court) the dēft craued a Jury, w^{ch} being then not to be fownd, was by the consent of both p^eties referred unto the next Court to bee held for

Liber the s^d County on the 10th of March following. Whereuppon it was
P. C. R. Ordered (both p^eties thereunto then assenting) That this Cause
be respited untill the s^d County Court, & there to haue its determinaōn
by a Jury &c:

p. 255 Att a Court held in Charles County 10th March 1658

P^ent

Josias ffendall Esq^r Gou^r, M^r Edw : Parkes }
M^r John Hatch } Commis^{rs}.
M^r Rob^t Hundley }

The afores^d Case & State thereof being signified to the Court, a
Jury was forthwth Impanelled, Viz.

fforemaⁿ

Will ^m Marshall,	Rich : Stanford	John Piper
Tho : Baker	George Symonds,	Edm : Lindsey
Tho : Mitchell	Peter Carre	Rob ^t Robins
Hen : Moore	James Johnson	Stanop Roberts.

Who being sworne by the Gouerno^r to bring their Verdict wth
out feare fauo^r or affection, & to the best of their wisdome, &
understanding, had the accōn afores^d wth the evidences thereunto
apperteyning, deliuered unto them. W^{ch} Jury after they had accord-
ingly considered & weighed the same, They (in their iudgm^{ts} all
agreeing) deliuered in this their Verdict by their fforeman Will^m
Marshall, That the s^d Arthure Turner should giue unto the s^d Strat-
ton, for the meintenance of the s^d Child for the first yeare 1000^t
Tob, for the second yeare 800^t Tob. & for the third yeare 700^t Tob.
And soe to pay 700^t Tob, untill the Child afores^d bee able to gett its
owne lyuing, wth Cost & Charge of suite. But if the s^d Turner doth
thinke himselfe herewth agreiued, Then to take the s^d Child wholly
to himselfe & to meinteine it. This Busines being fownd to exceed
the cognizance of the s^d Court, It is therefore Ordered th^t it bee sent
up to the Prouinciall Court, & there to haue itt^s determinaōn.

M^r John Hatch aged 45 yeares or thereabouts sworne & examined
in open Court sayth That M^r Arthure Turner confessed unto this
Depon^t th^t hee thought in his conscience th^t the Child borne of Lucie
Stratton was his, & further sayth not.

Robert Willson aged 30 yeares or thereabouts sworne & examined
in open Court Sayth th^t hee telling Lucie Stratton th^t shee was wth
Child, The sayd Stratton replied, That if shee were, shee would not
ffather it uppon any such fellow as this Depon^t, but th^t shee would
father it uppon such an One as John Ward, or Richard Smith, &
further Sayth not.

Edward Williams aged 33 yeares, or thereabouts sworne & ex-
amined in open Court, sayth, That he heard Lucie Stratton Say,
(shee being told th^t shee was wth Child, That if shee were) shee

would not lay her Child to any such fellow as this Depon^t, But th^t shee would father it, uppon such an One as John Ward or Richard Smith, & further sayth not. Liber
P. C. R.

Richard Dode aged 25 yeares or thereabouts, sworne & examined in open Court, Sayth That M^r Turner came unto this Depon^t & asked him whither his Wife could nurse his Child or noe? And this Depon^t answered noe, for he thought his Wife was wth Child, & therefore could not, & further sayth not.

Mary Dode aged 21 yeares or thereabouts sworne & examined in open Court, Sayth, That M^r Arthure Turner came to her, desyring her to nurse his Child, & this Depon^t answered, shee could not, for shee thought shee was wth Child herselfe, But if hee would haue it Dry-nursd, shee would doe her best endeauro^r for it. Thereuppon the s^d Turner answered th^t if this Depon^t could bring it up by hand, Lucie Stratton should, further sayth not. p. 256

John Ashbrooke sworne in open Court, att the request of M^r Arthure Turner Sayth, That hee heard Lucie Stratton Say, th^t shee could lay the Child borne of her Body, to Will^m Bowles, but th^t shee would not doe, because shee thought in her Conscience, th^t the Child afores^d was M^r Arthure Turners, & further Sayth not.

Walter Gwest sworne in Court att the request of M^r Arthure Turner Sayth th^t hee heard John Ashbrooke say, th^t Lucie Stratton did say th^t shee could lay the Child borne of her, wth a safe conscience to Will^m Bowles as well as to Arthure Turner, & further sayth not.

Margarett Pearce Jurat ide^m uerbatim quod Walter Gwest supra.

Anne Gwy aged 50 yeares or thereabouts sworne & examined in open Court, Sayth, That being wth Lucie Stratton the Saterdag after shee was deliuered of her Child, M^r Arthure Turner came & desyred this Depon^t to looke to the s^d Stratton & his Child. Whereuppon this Depon^t answered him th^t shee could not, by reason shee had diuerse lame folks in her howse, And the Sabaoth following the s^d Turner desyred this Depon^t to speake to the s^d Lucie & trye if shee could p^eswade her to marry him. To whom the s^d Lucie replied, th^t shee could not loue him, much lesse make him her husband, & further sayth not.

Christopher Russell aged 45 yeares or thereabouts sworne & examined in open Court att the request of Lucie Stratton, Sayth, th^t M^r Arthure Turner comming unto this Depon^{ts} howse one euening this Depon^t desyred the s^d Turner to stay, w^{ch} hee did. And being in bed the s^d Turner asked this Depon^t his aduice. Whereuppon this Depon^t sayd, hee would giue him the best he could, Vppon w^{ch}, the s^d Turner sayd, hee had a Child layd to his Charge, To w^{ch} this Depon^t answered S^r yo^u know in conscience whither it bee yo^{rs} or noe, But I would willingly know replied the s^d Turner, whither yo^u

Liber
P. C. R. can instruct mee concerning the Law. Whereuppon this Depon^t sayd
th^t this Act was acted before any Law was provided for such cases, &
therefore according to the usvall Custome, the womans Oath would
stand agst him, & further this Depon^t sayth That hee heard the s^d
Turner say That hee could loue her as well, as euer hee did his owne
Wife, & th^t it was by her faythfull promise unto him to bee his Wife,
th^t made him act what hee did, & further requested this Depon^t to
beare him company the next morning, to goe & see, whither hee could
win her to bee his Wife, who went to Pikayawaxent wth him, There
desyring to breake a question & not hauing opportunity (for John
p. 257 Morris requested her absence) Hee being gone, this Depon^t told the s^d
Lucie Stratton, th^t M^r Turner was come to make her satisfaction,
saying yo^u haue layd yo^r Child to him (w^{ch} shee did not disowne) &
therefore hee is come to tender both p^eson & Estate, if shee would
take him to bee her husband. And the s^d Lucie replied, Saying, th^t
shee had suffered enough by him, & th^t shee would not marry him if
shee suffered Death for it, Saying That hee was a Lustfull man a uery
Lustfull man & th^t shee neuer could bee quiett for him, Why Lucie
replied the s^d Turner it was by thy faythfull promise unto mee to bee
my Wife th^t I acted it, W^{ch} shee denied, Whereuppon the s^d Turner
asked her, who was most lustfull yo^u or I? saying, yo^u came to my
Bed, when I was in bed & putt yo^r hand under the cloaths, & tooke
mee by the priuate parts, Whereuppon this Depon^t left them, & told
the s^d Turner th^t hee should find him att Robert Hundleys & further
sayth not. The fores^d Depos^{ns} being read in open Court, & considered:
& it appearing to the Court, th^t Arthure Turner, supposing himselfe
ffather of the Child begott of Lucie Stratton, profered the s^d Lucie
marriage & shee refusing the same: as euidently is shewed in the
foregoeing oaths, The Judgm^t of the Court is That the s^d Lucie ought
to provide for & meinteine the s^d Child her selfe, wthout any allow-
ance therefore from the s^d Turner. And soe Ordered accordingly.

Hall v.
Hamond
vid. Writt
fol. 229 Whereas Walter Hall Adm̃istrato^r of the Estate of Henry ffox
Deceased, tooke out writt of Scire facias agst Anne Hammond for
1166^t Tob to shew cause &c:

The dēft in answere thereto sayth th^t that Debt was due to M^r
Land, & th^t shee hath seuerall Receipts or acquittances therefore from
the s^d Land, for all or most part of the Debt. But it appearing th^t
the former Order of Court, was obteyned att the suite of Henry
ffox, & to him alone; wthout any mention of the s^d Land, And the dēft
not prouing, th^t any thing in consideraōn of the s^d Order was satis-
fyed formerly by her, to the s^d ffox, or his assignes. It is therefore
Ordered th^t the p^{tf} haue Exeqⁿ according to the writt, & former
Order of Court.

Exeqⁿ
issued 170
June 1659,
Vid. fol. 275

Re Browne Whereas Daniel Browne hath Petitioned the Gouverno^r & Councell
for Reliefe & meintenance, hee being att p^ent in soe extreame sickly

a Condiçōn, not able to worke & labo^r whereby to mainteine or help himselfe. It is therfore Ordered by the Board th^t Will^m Gilford (hee consenting therto) take the s^d Daniel Browne into his tuition & Care, And th^t the Commis^{rs} of Caluert County prouide for the satisfaction of the s^d Gilford, out of their County, for his care taking, trouble & maintenance of the s^d Daniel Browne as afores^d.

Liber
P. C. R.

I Richard Preston doe giue unto Daniel Browne towards the releife of his necessity One hund^d pownds of Tob. to be p^d uppon demand. Allso I haue gyueⁿ him the s^d Browne 1 shirt, 1 p^r shooes, 1 p^r stockings, & 1 p^r of Canuase Drawers Aprill 7th 1659.

Whereas Cap^t Will^m ffuller, Richard Mosse, Will^m Cole, & Anne Couell haue refused to deliuer in uppon Oath, the accounts of certaine Estates belonging to Orphans, wherewth they are possessed as is certified unto this Prouinciall Court, from the County Court of Annarundel holden for th^t County 10th of Aprill 1659.

Re Fuller
et al.
p. 258

It is Ordered th^t the Commis^{rs} of the s^d County of Anarundell shall take the s^d Estates from out the hands or possesⁿ of the s^d Cap^t Will^m ffuller Richard Mosse, Will^m Cole & Anne Couell, refusing to giue in acc^t uppon oath, & conforme themselves to the gouern^t & Lawes of this Prouince in th^t Case prouided: & secure & putt the same into others hands or possesⁿ, for the use & benefitt of the s^d Orphans, for whom the s^d Cap^t W^m ffuller Rich: Mosse, W^m Cole, & Anne Couell were intrusted as afores^d: And it is further Ordered th^t All & euery p^eson or p^esons wth in the County of Anarundell afores^d possessed & intrusted wth any such Estate or Estates belonging to Orphans, & refuse to comply wth, & fullfill the Acts of Assembly of this prouince made, & not giue in an account uppon Oath of such Estates, as afores^d, when lawfully requyred soe to doe; shall bee incapable of possessing or reteyning any such Estate or Estates, uppon such their refusall: And to that end the Commis^{rs} of the s^d County shall or may dispossesse such person or p^esons of such Estate uppon such refusall as afores^d, & dispose thereof into some others hands or possesⁿ for the benefitt of such Orphans, as to them shall seeme fitt & conuenient.

And it is also further Ordered th^t the Commis^{rs} of Anarundell County afores^d passe fines uppon such p^eson or p^esons soe refusing to giue in Acc^t uppon Oath, when lawfully summoned or requyred therto as afores^d.

Whereas Edmund Web hath petitioned the Court held for the County of Anarundell 10th of Aprill last, Shewing th^t in consideraōn of a parcell of Land, conteyning about seauenty Acres bought of John Larkin, for w^{ch} hee hath payd the s^d Larkin in hand fve yeares since one Thowsand pownds of Tob & Cask. And where as the s^d Larkin hath not & still doth refuse to subscribe the Ingagem^t, or

Webb v.
Larkin

Exeqⁿ
issued &c:
4^o August
Vid. fol. 291

Liber
P. C. R. make Oath of fidelity to his L^p, as is provided for by Act of Assembly of this Province having thereby made himselfe incapable of holding any Land of his L^p, & not able to give the s^d Web assurance of the s^d Land, of whom he hath received paym^t, as is afore shewen. And whereas the s^d Land, is since (through the s^d Larkins default) graunted away to Edward Cox. It is therefore Ordered th^t the s^d John Larkin repay back to the s^d Edmund Web one Thowsand pownds of Tob & Cask, whenas noe assurance hath bene gyven to the s^d Web of the s^d Land, by the s^d Larkin. Hee having not complied wth the Condicōns of Plantaōn whereby any Land wth in this province could be graunted to him besides such dammages as the s^d Web shall rightly make appeare & susteyned for want of his Tob these 5 yeares as hee alleageth.

p. 259 Parrott v. Brasse Whereas Will^m Parrott hath petitioned the Court for reparaōn in his credit, agst Alice Brasse, Shewing how th^t the s^d Brasse being his seruant, & hee correcting her, scandalously reported how her s^d Master had broake Two of her ribbs, & th^t if shee dyed wth in a twelue month shee would lay her death to him, &c:

Cap^t Sampson waring sayth, th^t being att M^r Stanleys, M^r Stanley requested him & James Veitch, & M^r Will^m Coursey, to goe in & see his seruant hee had bought of M^r Parrott, And shee seemed then to bee lame & sayd th^t if shee dyed, M^r Parrott was the occasion of her Death by unreasonably beating her wth a great stick. And that shee thought th^t hee had broken one or Two of her ribbs, And this Depon^t sayth th^t shee then att th^t time lay, as if shee were dying, but the next morning shee went about her business in dressing Victualls, & righting up the howse.

James Veitch Jurat ide^m uerbatim quod Cap^t Waring, Anne Neuell sayth th^t Veiwing Anne Brasse & searching her, shee fownd her all black & blew ouer one of her shoulders & ouer the back & sweld downe the back.

M^r Stanley informeth the Court, th^t it was a fortnight or three weekes after Anne Neuell searched her, from the time M^r Parrott beate her & th^t it was wth a stick, as big as her little finger, & th^t shee still complains of the payne in her back.

The Judgm^t of the Court is There appeares noe cause of Accōn & both parties dismissed.

Belcher v. Cornelius Caluert County. Command John Cornelius & Elionor his Wife to hold plea to Thomas Belcher of Caluert County in an accōn of Couen^t of a parcell of Land being part or parcell of the Resurrection Mannor in Caluert County afores^d, formerly conueyed, or sold to Cornelius Kennde by Thomas Cornewaleys Esq^r of the Crosse in the County of S^t Maries, & by him to John Knap, & by the s^d Knap, to

the fores^d Cornelius as by the seuerall deeds, & assignm^{ts} formerly Recorded, to eyther of them doth more att large Appeare.

Liber
P. C. R.

Josias ffendall.

And the finall Concord betweene the s^d parties is, That the s^d parcell of Land as afores^d, wth all the dwelling howses, Tob howses & other Edifices whatsoeu^r, gardens, orchards scituate & being in Resurrection Manno^r in Caluert County afores^d be conueyed to him the s^d Thomas Belcher, & the same to enioy, to him, his heyres, & assignes for eu^r.

Whereas att a Court held 6^o Octob^r last 1658, It was Ordered th^t the Land belonging to Cap^t Will^m Lewis, in Nangemy Creek be extended soe far forth as it will goe to pay the Cred^{rs}, And th^t all the Cred^{rs} bringing in their claymes, bee the Apprayso^{rs} of the s^d Land soe to bee extended, And whereas the Cred^{rs} att this Court haue petitioned th^t the s^d Land bee forthwth extended & apprayed, & th^t M^r Prescott haue the refusall of the s^d Land, after the s^d Extent be layd thereon.

Re Lewis's
Land
p. 260
Vid. fol. 107
& fol. 318

It is Ordered according to the Cred^{rs} request th^t the s^d Land be Apprayed And th^t the Sheriffe in th^t behalfe bee impowred to ad-mister oath & swear the Apprayso^{rs} thereof.

The writt

Extent. Cæcilius &c: To the Sheriffe of Charles County Greeting. Wee Command yo^u &c: mutatis mutandis, ut supra writt Extent fol. 218.

Wee the Jury being all Agreed, & according to a writt of Partition from the hon^{bte} Josias ffendall Esq^r Gou^r &c: dat 2^o Martij 1658, Doe Returne o^r Verdict as followeth, (Viz) Wee doe allott unto D^r Luke Barber Esq^r That parcell of cleared Grownd, wth the appurtenances Lying next his now dwelling howse from a marked Dead Oake, standing a little below ffoxes Poynt, Sowth East into the woods, commonly called the Deuiding Lyne of Ranolph Reuell & James Johnson in a right Lyne to a small Gumme Tree.

Vid. Writt
fol. 212

Wee doe allso allott unto the Heyre of Henry ffoxe all th^t parcell of cleared Grownd wth the appurtenances beginning att the fore-mentioned Dead Oake a little below ffoxe's Poynt, soe running downe the Bay to the mouth of the Spring-Branch: from thence to the s^d Spring, w^{ch} wee equally deuide betweene them the s^d Docto^r, & the Heyre, ffrom thence to the head of the Spring Branch Sowth East & by East, to a marked Cedar standing neare the path to Poplar-Hill in the s^d Lyne of Randolph Reuell & James Johnson.

And wee allso doe allott to Docto^r Barber one parcell of Woodland Grownd, beginning att the Mouth of the Spring Branch running downe the Bay to a marked Oake standing on the Bay side, ffrom

Liber thence East Sowth East to a marked white Oak standing neare the
P. C. R. Path, goeing to Thomas Philip's.

And allso Wee doe allott to the s^d heyre all th^t parcell of Wood
land Grownd from the afores^d marked Oake of Docto^r Barber on
the Bay side downe to the mouth of the Deepe Swamp, Soe running
up th^t Branch into the woods.

And wee doe allso allott M^r Walter Hall Guardian to the s^d
p. 261 Heyre conuenient space for the striking his Tob. in the Docto^{rs} Tob-
howse. And allso Wee doe allott the s^d Docto^r till the last of Aprill
1660 time to remoue his share of all the fruite Trees, W^{ch} is a
Moity of them, & to choose the first Tree.

Wittnes o^r hands & Seales this 22th March 1658.

Nicholas Gwyther Sheriffe	Will ^m W Browne	} Sealed by All Severally
John + Medley	Peter P. Mills	
John Jarbo	Will ^m O Styles	
George Reynolds	Robert R Shale	
John \$ Shertcliffe	Roger Isham	
John W Warren	Christopher G Goodaere	
Thomas T Philips		

Memorand^m whereas in the Returne of this writt of Partition in
the first & second clause is putt Randolph Reuell & James Johnson,
It is to be understood Walter Beane (instead of Randolph Reuell) &
James Johnson.

Whereas Luke Barber Esq^r did att the Partition of the Land be-
tweene him & Walter Hall as Gwardian to yowng Henry ffox, prom-
ise to make the s^d Land reach soe far as a place called the Deepe
Swamp, in case by the Patent or Graunt itt did not extend soe far;
Prouided the s^d Luke Barber had allowed him for his share soe
much of the cleared grownd as the s^d ffox had allowed him for his,
And now by the Partition not hauing soe much cleared Land as
afores^d, Doth in open Court declare th^t hee will not now performe or
stand to th^t former promise to the s^d Walter Hall, for the reason
afores^d, And if soe bee the s^d Walter Hall doth find himselfe ag-
greiued thereat, Hee may if hee please haue a Repartition, Otherwise
the s^d Luke Barber is contented, & willing to stand to what the Jury
hath allready done.

Sowth v. Salter Whereas att a County Court held att Cap^t Thomas Bradnox
howse on the Isle of Kent, the 20th day of July 1658, John Salter
arrested to th^t Court Thomas Sowth, & obteyned Order & Judgm^t
agst the s^d Sowth Concerning a Plantaõn Called Beauer Neck on the
p. 262 s^d Isle of Kent, w^{ch} the s^d Sowth deteyned from him, And whereas
att the s^d Court It was Ordered by the Commis^{rs} of th^t County Court
th^t the s^d Thomas Sowth shall pay to the s^d Salter 5444^t Tob damages,

susteyned for the want of his s^d plantaōn, & other Costs then al-
leged & claymed by him. Liber
P. C. R.

And whereas att a Prouinciall Court held for this Prouince in
Caluert County on the 8th day of Octob^r last the s^d Thomas Sowth
Petitioned for a rehearing, touching the Costs & dammages only:
for th^t the Commis^{rs} of the County of Kent afores^d intermedled wth a
Cause not wth in their Cognizance, w^{ch} was then graunted (as by the
s^d Order & Petⁿ 8^o Octob^r may more fully appeare) And whereas
likewise att the Prouinciall Court held att S^t Maries the 3^d of March
last a Easpeciall writt or Commisⁿ was directed to Co^{tt} Nathaniel Vtie
& Edward Lloyd Esq^r, Joseph Wicks & Cap^t Rob^t Vaughan gentⁿ.
The wittnesses touching the fores^d Dammages & Costs dilligently to
examine & the Examinaōns into this Prouinciall Court, distinctly &
clearely to send, Together wth their Opinions, what uppon the prem-
ises is fitt to bee done, (as by the s^d Order & Writt may allso ap-
peare) make returne thereof as followeth (Viz) Vid. fol. 125
Vid. fol. 214

To the hon^{bte} the Gour & Councell

Whereas a Commisⁿ (bearing date the 3^d of March 1658) was
directed to Vs from yo^r honou^{rs} to heare matters of difference
betweene John Salter p^{lf} & Thomas Sowth & Thomas Hinson dēfts,
& hauing dilligently examined the premises doe humbly make Our
Report as followeth, ffirst as Touching the daṃages alleaged by the
s^d John Salter agst the afores^d Thomas Sowth. Wee apprehend the
s^d Sowth is not lyable to satisfy any daṃages uppon former accounts;
by reason the s^d Sowth held his possesⁿ by Order of Law, W^{ch} s^d
Order wee haue hereunto annexed.

Concerning the Charge of building & clearing alleaged by the
defend^{ts}, We thinke it may bee ballanced by daṃage done unto the
Plantaōn.

As for all other differences (brought before us) depending be-
tweene the s^d parties or eyther of them, They did willingly com-
pose betwixt themselues

Aprill 4th 1659

Sealed & Signed by

Nath: Vtie	} Sealed by all Three Seuerally.
Edw: Lloyd	
Rob ^t Vaughan	

I agree & consent to the Report & Opinion rendered afores^d If yo^r
hon^{rs} shall iudge the fores^d proceedings, w^{ch} they call Order of Law
to bee legally graunted according to formality in Law. The Order
being not graunted by sworne Judges. And the Grownds of the s^d
Order as is expressed to bee only possesⁿ w^{ch} the s^d Salter was pos-
sessed wth all att th^t time

Jōsh Wickes
Se X ale.

Liber
P. C. R.
p. 263
Dated 16th
& printed 3
Md. Arch.
Coun. 404

Att a Court holden for the Prouince of Maryland the 18th day of
Octob^r 1654.

Pnt^e

Cap ^t Will ^m ffuller	M ^r Will ^m Durand	M ^r Leonard Stronge
M ^r Rich : Preston	M ^r Edw : Lloyd	M ^r Rich : Ewens.

Whereas Isack Iliue being possessed of 200 Acres of Land called Beauer Neck, was disturbed by meanes of ffrancis Brooke pretending a Graunt from the Lord Baltemore & power from him, w^{ch} doth not appeare to this Court. It is therefore Ordered th^t M^r Philip Conner Com^rder of the Isle of Kent, shall cause the Sheriffe to giue the s^d Isaack Iliue quiett possesⁿ of the s^d Land, & th^t those th^t depossess^t the s^d Isaack Iliue shall pay Cost of suite.

(W^{ch} Report notwthstanding) The Judgm^t of the Court is th^t the s^d Salter being outed of his plantaōn, must needs susteine much damage & losse; & therefore ought to have dammages allowed him.

Exeqⁿ Clk
& Sheriffs
ffees issued
4^o Aug.
Vid. fol. 291

And doth thereuppon Judge & order That the Dammages formerly assessed att th^t County Court on the 20th of July as afores^d amounting to 5444^t Tob, shall not be allowed as assessed by a Court who had not cognizance of soe greate a summe. But th^t in roome & stead thereof the s^d Thomas Sowth shall pay to the s^d John Salter One Thowsand pownds of Tob & Cask da^mages & Costs of suite from the time of the surrender of the Gouverm^t. And doth likewise further Order th^t the former Judgm^t att the Court held att Cap^t Thomas Bradnox howse in Kent County on the 20th of July 1658 as afores^d shall for euery p^eticular thing ells stand in full force.

Re Nugent's
Estate
Vid. fol. 183

Whereas att a Court held att St^t Maries 25^o ffebruary last, It was then Ordered (uppon the Petⁿ of Cap^t Thomas Cornwaleys) th^t James Lindsey giue in, an Account of M^r Will^m Nugents Estate att this Prouinciall Court.

Vid. fol. 210
Overzee v.
Lindsey.

And whereas likewise att the same Court p^o Martij Symon Ouerzee Petitioned agst the s^d James Lindsey for paym^t of 1200^t Tob due from Symon Antonio, whose ad^mistrato^r the s^d Lindsey is, W^{ch} Cause was respited to this Court. The s^d Lindsey not appearing eyther by himselfe or Attorney, & the Court being ready to breake up. Ordered th^t the Pet^{rs} haue Judgm^t uppon default according to their Petitions. The Gou^r appoynted the next Prouinciall Court to bee held in Anarundell County on the 20th day of June next.

Aprill 25th
p. 264
Appraising
Land in
Anne
Arundel
County

Whereas sundry accidents may happen in the County of Annarundell for the speedy ad^mistring Depos^{ns} in what shall concerne the Sheriffes place & office of th^t County. These are therefore to authorize & impower John Norwood gentⁿ Sheriffe of the County of Annarundell afores^d to Ad^mister Oath unto any Apprayers of Land, Estates or goods whereunto hee shall bee authorized by Commisⁿ

to see appraised. And allso to any other p^eson or p^esons in what may concerne his s^d Office. Gyuen under my hand this 25th of Aprill 1659

Liber
P. C. R.

Philip Caluert

To M^r John Norwood.

Cap^t Sampson Waring & James Veitch demand Writt of Attatchment agst the Estate of Cap^t W^m Mitchel deceased for 2000^t Tob.

Waring et
al. v. Mitch-
ell's Estate
Vid. fol. 320
& fol. 370

Writt to the Sheriffes of S^t Maries & Caluert Counties to attatch &c: Ret. next Prou: Court to bee holden in S^t Maries or Caluert Counties afores^d.

Richard Smith demands war^t agst Thomas Cārye in an accōn of Battery.

Aprill 28th
Attorney
General v.
Cary

Writt to the Sheriffe of Caluert County to arrest &c: Ret. next Prouinciall Court to be holden in Anarundell 20th June.

Summons to idem to warne Daniel Golson, Peter Joy, Martha Joy & Anthony ——— to testify in ditt Sub. 500^t Tob each, Ret ut suprà.

Writt of Exequuōn issued to the Sheriffe of S^t Maries County att the request of Cap^t Thomas Cornewaleys agst the Estate of Daud ffreira for 600^t Tob according to Order of Court, fol. 182

Cornwaleys
v. Fereira

Daud ffreira demands writt agst Cap^t Samuel Tilghman Accōn Case, Summons, &c:

May 5th
Fereira v.
Tilghman

This Day came Patrick Hinderson & acknowledgeth to haue giuen & doth hereby giue & make ouer unto Richard Sudborough one Cow Calfe about a yeare & halfe old (marked wth a hole in each eare, & the right eare Crop't & Two slitts in the Crop) wth all itt's encrease both male & female, to him the s^d Richard Sudborough & his heyres for euer.

Re Hender-
son's Calf

Recogn in open Court Will^m Bretton.

John Knap enters Caueat agst ffrancis Armestrong Admīstrato^r of the Estate of Cornelius Abrams, & demands out of the s^d Estate 450^t Tob. w^{ch} he is ready to proue.

Knap v.
Armstrong
Adminr.
p. 265

James Atchison aged 31 yeares or thereabouts Sayth, th^t in march last was Tweluemonth, Two of Cornelius Abrams seruants did come unto this Depon^{ts} howse unto John Knap for some Bacon. And the s^d John Knap did deliuer Bacon unto the s^d Seruants: but the quanty hee doth not well remember. But to the best of his remembrance it was one hund^d & fifty pownds weight & further sayth not.

Jurat Cora^m Hugh Stanley.

Liber
P. C. R. Susan Acheson wife unto James Atchison aged 27 yeares or thereabouts, Sayth That John Knap did deliuer unto Two of Cornelius Abrams seruants fflowre flitches of Bacon, for the use of their Master, & to the best of her remembrance they weighed One hund^d & fifty pownds, & further Sayth not.

Jurat Cora^m Hugh Stanley.

Susan Acheson wife unto James Atchison aged 27 yeares or thereabouts, Sayth That John Knap did deliuer unto Two of Cornelius Abrams seruants fflowre flitches of Bacon, for the use of their Master, & to the best of her remembrance they weighed One hund^d & fifty pownds, & further Sayth not.

Jurat Cora^m Hugh Stanley.

May 6th
Husbands
v. Cooke
Vid. fol. 240 This Day came afore M^r Secretary Cap^t Miles Cooke, & Cap^t Richard Husbands according to the Order last Court on the 22th of Aprill, Ordering thereby the s^d Cap^t Miles Cooke to giue a Satisfactory answere how th^t account claymed by Cap^t Husbands was payd & Satisfyed. Cap^t Cooke for answere Sayth, th^t being trusted by Cap^t Husbands wth goods & authorized by him to putt them of in this prouince, Hee Trusted Will^m Edwin wth some of the s^d Goods, to the ualue of 523^l pownds (as by th^t Account appeareth) Of w^{ch} Edwin the s^d Cooke acknowledgeth th^t he receaued 279^l in part of Satisfaction of th^t account. And th^t there remaines due to the s^d Cap^t Husbands from the s^d Edwin 244^l out of the s^d account, And th^t the 279^l w^{ch} hee receaued of the s^d Edwin, hee payd unto the s^d Cap^t Husbands amongst other Tob, w^{ch} hee shipped home for the s^d Cap^t Husbands use.

To w^{ch} answere the s^d Cap^t Husbands made noe Reply, And M^r Secretary gaue Judgm^t th^t Capt Richard Husbands receaue the 244^l of the s^d Edwin, & th^t the s^d Edwin satisfy the same, & th^t Cap^t Miles Cooke be dismissed touching th^t account.

May 7th
Re Bayley Know all men by these p^ents th^t I Godfrey Bayley late of London gentⁿ doe promise to giue an account, as allso to make a Returne or Returnes of all such goods & merchandise, as are expressed or mentioned in Certaine Bills of Lading assigned ouer to me the s^d Godfrey Bayley by John Bayspoole of London merch^t as allso for Two seruants, & to returne an account of the s^d goods & seruants unto Will^m Hooker of London afores^d Gentⁿ. In wittness whereof I the s^d Bayley haue hereunto sett my hand & Seale this Twenty ninth of Decemb^r 1658

[No signatures are in the MS.]

Signed, Sealed & Deliuered in the p^ence of Vs

Godfrey Bayley

May 9th
p. 266
Re Mayflower. Whereas in right of a Commisⁿ to mee Graunted from the Right hon^ble Cæcilius Lord Baron of Baltemore, Lord Proprietary of this Prouince of Maryland to bee Admirall in all the s^d Prouince, thereby

giuing and graunting mee Samuel Tilghman of London Mariner the full third part or parts of all Wracks or fforfeitures wthin the s^d Prouince committed below high water marke. And whereas M^r Daniel Hutt of New England hath wthout Commisⁿ gone Contrary to the Law of the s^d Prouince, & traded wth the Indian Inhabitants thereof, Whereby his Vessell called the May fflowre became prize, & stands Condempned through his the s^d Hutts default.

Now know all men by these p^{nts} th^t I Samuel Tilghman as Admirall afores^d doe for the Considera^on of Two Thowsand fower hund^d pownds of Tob by me receiued of Daudid ffereira as the ualue of Thirty pownds sterl, bargaine, sell, alien, & for euer Conuey unto the s^d Daudid ffereira his heyres, Executo^{rs}, Admⁱstrato^{rs} or Assignes all my Right, tytle & interest of the Third part of the s^d Vessell, wth the third part of all Anchors, Cables, rigging, Sayles, boates, goods, wares, & merchandizes whatsoever belonging or ap-
purtayning to the s^d Vessell, And I doe on the behalfe of my selfe, my heyres, Executo^{rs} & Admⁱstrato^{rs} warrant the s^d third part unto Daudid ffereira his heyres or assignes for fiueteene months after the date hereof. Wittnes my hand & Seale this 2^d day of May 1659.

Samuel Tilghman

Se + ale.

In the p^{nce} of Henry Coursey Edward Packer.

M^r Peter Bath demands War^t agst Tho: Champian, in acc^on Detinew war^t to the Sheriffe of S^t Maries County to arrest &c: Ret. Prouinciall Court to be holden in Anarundell County 20th June next.

Bath v.
Champion

These p^{nts} wittnes th^t I Mathew Smith Plant^r in Patux^t Riuer, doe hereby sell, alienate, assigne & make ouer unto Thomas Hopkins & Robert Hopkins ioyntly & seuerally, them or eyther of them Two Cowes & One heyfer (marked in the right eare wth a slitt downe in the eare & a peice cut out before, & the left eare Cropd) And I the s^d Mathew Smith bind mee my heyres to beare harmelesse the s^d Thomas Hopkins & Rob^t Hopkins, their heyres or assignes from any tytle right or interest from the s^d Mathew Smith or Arthur Manship his Wife, or his Childreⁿ. Wittnes my hand the 18th of January 1656

Re Smith's
Cows

Teste

James Veitch

Mathew C Smith

Jo^s Hambleton.

Elizabeth A Smith.

Dermott ffenine recordeth his marke (Viz) The right eare under-
keeld. The left eare Cropt & underkeeld. I ffancis Armestronge
of Caluert County in the Prouince of Mary-Land doe acknowledge
to haue gyuen, & doe hereby giue, conuey & marke ouer unto Cornelia
Abrams, Daughter of Cornelius Abrams Deceased One Cow named
Nancy, & one yeareling heyfer called Brownings heyfer (marked

Mrk. Cattle
p. 267
Re Arm-
strong's
Cows

Liber P. C. R. wth a Slitt in the Right eare, & the left eare underkeeld & the top of the s^d eare cut of) wth all their male & ffemale encrease for euer. Reseruing only the Bull Calfes arysing of the fores^d Cattle to my selfe, my Executo^{rs} admīstrato^{rs} or assignes, for the care of tending & looking to the s^d Cattle, & their encrease, & maintenance of the s^d Cornelia during her minority. But in case it soe happen th^t any p^eson or p^esons shall goe about, or endeauo^r to sue molest or trouble mee the s^d ffrancis for any other Estate for her the s^d Cornelia, pretending to belong to Cornelius Abrams her sayd ffather Deceased, ouer & aboue the s^d Cattle hereby by me gyuen. I doe then hereby declare this my s^d Gwift to bee voyd & of none effect. And further if in case the s^d Cornelia shall happen to dye before shee attains the age of ffowrteene yeares That then the s^d Cattle here mentioned are to returne to mee the s^d ffrancis my heyres, Executo^{rs}, or Assignes as afores^d. Wittnes my hand this 19th day of Aprill 1659
ffrancis h. Armestronge

May 12th
Re Willan's
Cows Came Richard Willan gentⁿ & doth acknowledge to haue gyuen, & doth hereby giue & make ouer unto his Daughter Elizabeth One Black Cow about fīue yeares old named Mopsey, & one yeareling Black heyfer (marked wth a hole in the right eare, & the left eare undersquared, wth a nick cutt in under the square) wth all their female encrease for euer, & is to aduance her a portion. But in Case the s^d Elizabeth should happen to dye before shee attayneth the age of fowrteene yeares, then my Will & intent herein is, th^t the s^d Cattle wth all their encrease as afores^d, returne & bee to mee the s^d Richard, & my heyres & not otherwise.

p. 268 Allso the s^d Richard Willan doth hereby giue conuey, & make ouer unto his Daughter Grace one Browne Cow calfe, about halfe a yeare old (marked as the former, wth this distinction only, That the nick w^{ch} is cutt in under the square of his Daughter Elizabeths marke or cattle, is here on his Daughter Graces' cutt in on the fore or upper part of the left eare) wth all the female encrease for euer & is likewise to aduance her a portion. Prouided as afore, th^t if in Case shee the s^d Grace happen to dye, & attayne not the age of fowrteene yeares; Then the s^d Calfe wth all the encrease arysing thereon to returne, & bee, to me & my heyres as afores^d & not otherwise.

Recogn Will^m Bretton.

Rich: Willan

May 13th
Chew v.
Peake Samuel Chew demands warr^t agst George Peake in an accōn Debt. War^t to the Sheriffe of Caluert County to ar^est &c: Ret. next Prou: Court to be held in Anarund. County 20th June

Chew v.
Peake Samuel Chew demands war^t agst George Peak in an accōn Case. War^t to the Sheriffe of Caluert County &c: Ret. ut suprā.

Know all men by these p^{nts}, th^t I Edmund Berkeley of London Merch^t Attorney to M^r Thomas Ticknor of London Grocer, doe acknowledge to haue receaued of M^r Owen James of the Prouince of Maryland Plant^r Six hogsheads of Tobacco: & six pownds of Beauer: & doe accept of Eight hogsheads more, w^{ch} the s^d Owen James shipped in the Charity Jn^o Bosworth Master, & consigned unto the s^d Ticknor, & by him receaued. All w^{ch} Tobacco beeing ffowrtene hogsheads & six pownd of Beauer dos amount to the summe of Thirty Eight pownds Ten shillings three pence $\frac{1}{2}$ w^{ch} is in part of the s^d Owen James his Bond to the s^d Thomas Ticknor. W^{ch} Bond beareth date the Thirteenth day of 7^{bor} 1654. As wittnes my hand & Seale this fift day of Aprill One Thowsand six hund^d fifty & six.

Liber
P. C. R.
May 18th
Acknowl-
edgment by
Edmund
Berkeley

p^e me Edm Berkeley

Testes Zachary Wade The m^rk of Robert Crane [
Concordat Cu^m Originali W^m Bretton.

Rob^t Joanes Recordeth his marke (Viz) The Right Eare swallow Mrk Cattle forked. The Left eare underkeeld, wth a small bitt taken of ouer the same Eare.

Came Thomas Cornewaleys Esq^r & acknowledgeth to haue re- ceiued of Thomas Burdett full satisfaction for th^t Judgm^t, w^{ch} the s^d Cornewalleys obteyned agst the s^d Burdett att the Prouinciall Court held att St^t Maries 2^d of March last 1658, for fiuteene hund^d pownds of Tob, & Cask, as by the s^d Order of Court doth appeare.

May 30th
Cornwaleys
v. Burdett
Vid. fol. 206
p. 269

John Buttriffe demands on the Estate of Cap^t Will^m Lewis de- ceased Three Thowsand pownds of Tob. & Cask.

Buttriffe v.
Lewis's
Estate

Nouembr^r the 29th 1658.

These p^{nts} wittnes th^t I M^{rs} Elizabeth Stephenson haue sold & deliuered unto Dermott ffeneine One Black Cow, & one pyed Cow, & Two yowng Steeres, One black & one pyed all marked wth a Crop of left eare, & ouerkeeled & underbitted of the right eare, & I the s^d Elizabeth Stephenson doe warrant the sale of the s^d Cattle unto the s^d Dermott agst all iust Claymes in Law. Wittnes my hand, the day & yeare aboue written

Re Stephen-
son's Cows

The m^rk of
Elizabeth I Stephenson

Wittnes Richard Willan The m^rk of Henry H E Elery.

Receiued of M^{rs} Jane Eltonhead of Patux^t in the Prouince of Maryland Six Thowsand & sixty nine weight of Tob. & cask being part of an Order of Court graunted against her att the suite of M^r Edward Eltonhead of the Temple in London I say receiued by me by uertue of a Letter of Attorney from him the s^d Eltonhead

Eltonhead v.
Eltonhead

Josias ffendall

Test Ri: Smith Tho: Hinson.

Liber
 P. C. R.
 May 31th
 Attorney
 General v.
 Barrett et
 alii
 Vide 3 Md.
 Arch. Coun.
 361

Before the Gouverno^r & Cap^t Tho: Cornewaleys Ass^t. The Exa^on
 of Thomas Barrett taken in a Vessell in the Roade in S^t Georges
 Riuer uppon suspicion of Piracy &c: 31th May 1659.
 Vppon Examina^on of Thomas Barrett one of the Company of the
 Ship May flower, confesseth, That of, of the Westernne Ilands one
 Cap^t Collard Groues, by Commisⁿ from the King of Portugall tooke
 this Ship, & putt him & six more in her, That hee & they runne away
 wth her, And further sayth That hee putt those seamen th^t were
 taken in her on shoare, & was left by them att Antego. And th^t
 shee was a Dutch Ship belonging to Amsterdam. And th^t the ships
 name (as hee takes it) was called the Maria th^t tooke her, & th^t
 shee was about 150 Tunne of a Dunkirke built, of Ten Gunns, wth
 about 150 men. This day Month they left the Man of Warre.

p. 270 The Examⁿ of James Mountioy taken as afore uppon Suspition
of Piracy.

James Mountioy, Master of the s^d Vessell confesseth, That on the
 third day of May last, some in Barbados did informe him that the s^d
 Vessell was a lawfull price, And th^t shee was laden wth Jewes goods.
 Whereuppon hee & six more, wth out any Commisⁿ went and tooke
 her. And th^t hee did belong to Cap^t Alexander ffarlow of London
 the Rich Bonauenture of seauen guns. And th^t hee & the rest were
 abused by their seuerall Masters, & did this to right themselues, &
 that hee mett the rest by accident in an Alehowse. And that there
 was Thirty sayle of English ships in the Roade, sayd, well done
 Boyes, & suffered them to carry her away. And th^t they gaue the
 Gouvernour of Antego an Anker of Brandy, & fower holland Cheeses;
 & left the skipper, & three men more there.

The Examⁿ of Mathew Benham taken as afores^d uppon suspition
of Piracy

Mathew Benham Gunner of the s^d ship, sayth, that hee did belong
 to Cap^t Groues (& th^t his Sir name was Groues) And th^t they Clapt
 her aboard being seauen in number & tooke her, wth fflowerteene men
 & Boys in her. And th^t he did not know what place hee was neare
 when they tooke her: But he supposed they were Eight hund^d Leagues
 att Sea. And th^t the Master could giue an account, And th^t hee
 knew not what Cap^t Groues Ship was called.

Att a Councell held att S^t Maries p^o Junij 1659

June p^o P^ent

Josias ffendall Esq^r Gour^r } Cap^t William Stone } Coth John Price.
 Philip Caluert Esq^r Sec^r } M^r Job Chandler }

The Gour^r informed the Councell th^t there was a ship come into S^t
 Georges Riuer, w^{ch} pretended shee came from Yarmouth in England
 & th^t shee had come immediately from ffrance. That demanding

of the Master the Cocquetts, hee was able to shew none. Where-
 uppon hee had seised her. And th^t the men on board her were in
 different Stories, from whence he did suspect them to bee Pyratts,
 Whereuppon the Prisoners were sent for & Examined. Liber
P. C. R.

Richard Galey one of the Seamen taken uppon the George in S^t
 Georges Riuer uppon suspicion of Piracy Examined Sayth, That the
 s^d ship was a Dutch Ship belonging to Amsterdam in Holland Laden
 wth Dutch goods. That the skipper whom they tooke on board of her
 did tell them, shee was a free prize. That they tooke her in the P. 271
 Roade att the Barbados, himselfe & six more goeing on board of her
 wth out Commisⁿ. That they tooke six men on board of her w^{ch}
 belonged to her, there being Seauen more on shoare th^t belonged to
 her. That they putt the skipper & Three more of the men uppon a
 Raft made of Cask in a Bay att Antego. That a ships Boate came &
 tooke them of the Raft, & carryed them on shoare. And th^t they
 came immediately from Antego, to S^t Georges Riuer, That Richard
 Stockdale was one of the Ships Company when they tooke her, &
 th^t he was in the Hould att worke when they Layd her on board. [Antego
probably=
Antigua]

Richard Stockdale one of the Seamen belonging to the George
 taken in S^t Georges Riuer, Examined Sayth That he came from
 Amsterdam in the s^d Vessell called the George being shipped for th^t
 Voyage to the Barbados by the skipper Jacob Dirickson. That hee
 was on board the s^d Ship, when Richard Galey & his Complices
 layd the s^d ship on Board, & carryed her out of the Roade att the
 Barbados. That the s^d Galey & his Complices turnd' the sayd skipper
 & Three persons more uppon a Raft att Antego, & that hee saw them
 safe on shoare.

Nicholas Salmon, one of the Seamen taken on board the George
 in S^t Georges Riuer, Examined uppon Suspicion of Piracy Sayth
 That the Ship S^t George afores^d was a Dutch Ship, as hee was told by
 the Skipper Jacob Dirickson, That hee wth Six more layd the sayd
 ship on board in Carlile Bay in Barbados on the third day of May.
 That they carryed the s^d ship from thence to Antego, & there putt
 the s^d Skipper & Three more uppon a Raft. And that they had a
 Boate came to them from a Pirke w^{ch} tooke them in, uerv neare the
 Shoare.

Richard Stockdale sworne & examined, Eod die, And th^t as a
 wittnes touching the Vessell called the S^t George of Amsterdam,
 Sayth That hee was shipped on board the s^d ship by skipper Jacob
 Dirickson about eight weekes before shee was taken att the Barbados
 by Richard Galey & his Complices. That amongst them there did
 not appeare any one person that bore more rule or sway then the
 other. That hee doth uerily beleieve that the Skipper wth the other
 Three persons, that att Antegoe were putt on the Raft are safe.
 That they tooke in their horses & Brandiwine att Amsterdam, & the

Liber P. C. R. Bayle of ffrench Canuase allso. That in their uoyage from Amsterdam they were putt by Crosse-winds into the Downes. That att p. 272 the Barbados hee was by when the skipper sould a horse for Three Thowsand three hund^d pownds of Sugar. And that the sugar now on board the s^d Vessell is part of the price of that horse. That the Skipper when hee went out of the Vessell att Antegoe tooke the writings by Consent of the Surprizers on shoare wth him, when hee went uppon the Raft. That they would not permitt him this Depon^t to goe on shoare wth the skipper because hee was an English man.

June 2^d Att a Court held att the Crosse howse in St Inegos hund^d in the County of St Maries 2^o Junis 1659.

Josias ffendall Esq^r Gour^r } Cap^t Will^m Stone } Ass^t
Philip Caluert Esq^r Secr } Coth John Price } Cap^t Miles Cooke.

Attorney General v. Husbonds Was called afore the Board Cap^t Richard Husbonds, & taxed for uttering certaine factious & mutinous speeches agst the Gouvernour & Gouverm^t of this Prouince, whoe uppon his ill behauiour & unruly comportm^t is committed into the Sheriffes Custody. And uppon his compliance & better comportm^t for the future is dismissed.

Re The St. George Vppon the Informaōn as afores^d the Prisoners being all present were called, & Examined.

The Exaōn of George Lyne one of the Company taken uppon the Ship called the St George of Amsterdam uppon suspition of Pyracý.

This Exam^d Sayth That hee was one; who surprized this Vessell att the Barbados. And th^t the s^d Vessell did belong to a ffleming there, That they came aboard her in a wherry Boate, w^{ch} they hyred there that the s^d Vessell rid allmost of the Barre, wth two Anchors downe, & that they cutt both the Cables when they went away.

The Examⁿ of Peter Jañson one of the Company taken &c: This Exam^d Sayth That hee was borne in Norway, & did belong to one Cap^t Courtman that sayled out from Amsterdam, & by reason of his ill usage, hee left the s^d Courtman att Barbados. That hee knew the master of this Vessell w^{ch} hee surprized, lyuing att Amsterdam, That hee mett wth this Company att the Barbados, where they agreed to surprize this Vessell; & accordingly did doe it. That they intended to sayle up & downe in her, for ffashion-sake, because they were Saylor's bread. That they did not stay att Antegoe, because they durst not, hauing putt the Master there on shoare. That hee cutt one of the Company, w^{ch} they tooke in her, ouer the face, wth a Back-sword, because hee steared a wrong Course, & would haue p. 273 carryed the Vessell back againe to Barbados. And being asked whither they intended to goe, after they went from this place, Sayth That they would haue fownd one place or other to haue gone to.

The Reexaminaōn of Thomas Barrett, one of the Company taken aboard the s^d Vessell uppon suspition &c: This Exam^d Sayth, that

hee was One that surprized this sayd ship or Vessell att the Barbados uppon noe other Commission, then uppon the Act Touching Trade. That comming from thence by Antegoe, they brought the s^d Vessell directly to this Riuer. As concerning the master of the Vessell, hee sayth That hee was treated Ciuilly by him, & the rest; But did not proffer the s^d Master the Vessell soe surprized by him againe.

Liber
P. C. R.

The Examⁿ of James Mountioy, taken &c:

This Exam^d acknowledgeth in open Court what is sayd by him in his Exa^on taken by the Gouverno^r 31 May, & Reexamined sayth That after hee wth the rest of the Company had surprized this Vessell, they brought her away from Barbados into this Riuer, intending here to make their markt to their best aduantage.

Vid. sup.
fol. 270

The Reexamina^on of Mathew Benham &c:

This Exam^d Sayth That hee was one of the Company th^t surprized this Vessell att the Barbados, & goeing in a Boate there, they layd her on board. That for his owne part hee had noe Commisⁿ for taking her; neyther knoweth hee whither any other of the Company, who surprized her had, any Commisⁿ to iustify them therein or not.

It appearing by the Examina^ons & confessions of all the fores^d parties That they wthout any Commisⁿ had seized the s^d Vessell, uppon pretence th^t shee belonged to Amsterdam. And neyther bringing the master, nor any One Dutchman of her Company, nor the Cocquetts, whereby it could be made clearely appeare to what place shee belonged; But only soe far forth as the Oath of Richard Stockdale (who is an Englishman) is ualid, who protends hee was one of the Company, shipped on board her att Amsterdam, & taken in her att the Barbados.

Vppon Considera^on whereof, & of the Order prescribed in the seuerall Acts of Parl^t for the prouing of shipps to be lawfull prize, w^{ch} by the s^d Prisoners hath not bene obserued, The Court doth Judge That the ship called the S^t George of Amsterdam, & her freight, brought into this prouince by the s^d Prisoners be seised into the hands of the Lord Prop^r, And th^t if wthin a yeare & a day noe lawfull right bee made appeare, That then the s^d Vessell wth all her freight, apparell tackle & furniture bee adiudged lawfull prize, & th^t in the interim the goods in her bee apprayed.

p. 274

The Court adiorned by the Gouverno^r till to morrow morning att ten of the Clock, att Cap^t Stones att S^t Maries.

These are to Authorize & Requyre yo^u to empanell a Grand Jury of 24 men to enquire of Certaine felonies Committed agst his L^{ps} rule & Gouverm^t. And Returne this writt by to morrow Ten of the Clock att the Court att Cap^t Stones howse. Gyuen under my hand & Seale this 2^d day of June 1659.

To Cap^t Nicholas Gwyther
Sheriffe of S^t Maries County.

Josias ffendall #

Liber Att a Court held att St Maries att Cap^t Will^m Stones howse 3^o
P. C. R. Junij 1659.
June 3^d

Pnt^e.

Josias ffendall Esq^r Gou^r } Cap^t Will^m Stone
 Philip Caluert Esq^r Secr } Coth John Price.

Sheriffe Returnes his writt & warned for Juro^{rs}

fforemaⁿ

Mr Henry Coursey	Robert Macklin	Vincent Attchison
Mr Thomas Mathews	Will ^m Eale,	fforker ffrizell
Mr Richard Willan	Daniel Clocker	John Nicholds
Mr Mathew Stone	Will ^m Hewes	Walter Waterlin.
Mr Nicholas Yownge.	Will ^m Waring	
Mr Will ^m Boreman	Christopher Joanes	

Lett it be enquyred for the Lord Proprietary, Whither Richard Galey, Nicholas Salmon, Thomas Barrett, James Mountioy, Mathew Benham, George Lyne, Peter Jañson did not uppon the third day of May 1659 wthin the Poynts of Carlyle Bay, in the Island of Barbados, the ship called the St George of Amsterdam there ryding att anker, from Jacob Dirreckson feloniously take & carry away, agst the peace of his s^d Lordship his rule & Gouverm^t.

fforeman Returnes Verdict, Endorsed on the Backside of the Bill of Inditem^t, & Jury all agreeing & consenting (Viz) Ignoramus to this Rule & Gouverment.

p. 275 It appearing to the Court by the seuerall Examinaõns of all the foresayd persons, That they did surprize the Vessell St George, & her lading att the Barbado's wth out any Commisⁿ therefore uppon pretence that the sayd Vessell & Goods were lawfull prize. Yett for want of Sufficient testimony & power to take cognizance of the s^d ffact, as done wth in this Jurisdiction the s^d persons, cannott bee condemned therefore. And further for th^t the s^d persons, are dangerous & turbulent, & apt to rayse mutiny & sedition wth in this Prouince, if they be together & permitted to remaine in the Prouince. It is therefore Ordered th^t the s^d persons bee forthwith banished, & expelled this Prouince. And not to returne hither againe wth in ffowre months uppon such penalty and censure as the Gouverno^r & Councell shall thinke fitt to impose in case any the fores^d persons shall presume in Contempt of this Order of Court, to returne into this Prouince againe, afore the time limited as afores^d.

Court Whereas att the Prouinciall Court held in March last, the next
Postponed Prouinciall Court was appoynted to bee holden in Anarundell County the 20th of this p^ent month of June, W^{ch} by reason of the distance of the place, & sundry other accidents and occasions happening cannot be conueniently kept on the prefixed day, The Gouverno^r therefore

hath thought fitt to adiorne the s^d Court. And doth appoynt the next Prouinciall Court to bee holden for this Prouince of Maryland to begin the first Twesday, being the ffowrth day in the month of October next following Vnlesse hee shall see Cause to Call a Prouinciall Court sooner.

writt of Exequuōn issued to the Sheriffe of S^t Maries County att the request of Walter Hall agst the Estate of Anne Hammond according to Order of Court 25^o Aprill last for 1166^t of Tob. & Cask. Clks ffees writt scire 38 Order &c 16 writt Exeqⁿ 23 77.

Liber
P. C. R.

June 17th
Hall v.
Hammond's
Estate
Vid. fol. 257

Will^m Hewes Recordeth his mark of Cattle &c: (Viz) The left eare Cropt, wth Two Slitts in the Crop, The Right eare underkeeld wth a hole in itt.

mark
Cattle

Edward Packer demands warr^t agst Cap^t Richard Husbands in an accōn of Debt to the ualew of 1500^t Tob.

Packer v.
Husbands

Warr^t to the Sheriffe of S^t Maries County to arrest &c: Ret next Prouinciall Court whensoever or wheresoeu^r to be held.

Henry Heylin recordeth his mark (Viz) The left eare Cropt, & a great Roman H under it crosse the eare. The Right eare underkeeld wth two holes in it.

mrk Cattle

Robert Holt enters his mark of Cattle & hoggs, (Viz) Both Eares Cropt, & Both eares underkeeld.

June 20th
mrk Cattle

Know all men by these p^ents th^t I John Halfhead of Patux^t Riuer in the Prouince of Maryland, haue gyuen graunted & confirmed, & doe by these p^ents giue graunt & confirme unto Will^m Land, sonne of Philip Land of the s^d Prouince One Red Cow wth her left Cheeke black commonly called Cherry wth all her encrease. To haue & to hold to him the s^d Will^m Land his heyres & assignes for euer. In wittnes whereof I haue hereunto sett my hand this 20th of June 1659

p. 278
Re Half-
head's Cow

Wittnes Philip Caluert.

The II m^rk of
John Halfehead

Receiued by mee Job Chandler, Executo^r of Samuel Scott, of M^r Will^m Coursey, for Cattle bought by M^r John Coursey, of the aboues^d Scott, the summe of seauen hund^d powns of Tob & Cask. This was receiued uppon the account aboues^d this 6th June 1659

Chandler v.
Coursey

By me Job Chandler.

Know all men by these p^ents th^t I Henry Nedham of S^t Maries in the Prouince of Maryland doe for me my heyres, Executo^{rs} ad-
mistrato^{rs} or assignes firmly bind ouer unto Will^m Cole of the same place his Executo^{rs} admistrato^{rs} or Assignes All my Crop of Tob,

Henry
Nedham's
Assignment

Liber and Corne now growing; And One Cow, one heyfer, & one Calfe,
P. C. R. fflowres Steares two of them 4 yeares old, one fve & one Six yeare
old, now resident att Lin hauen. The Cow is Cropt both eares, & cutt
ouer behind of the right eare, & underkeeld of the left eare. The
rest of the s^d Cattle marked wth a fflower de Luce on the left eare, &
underkeled on the right eare. This Crop & Cattle I doe freely pos-
sesse the s^d Cole wth as his owne proper goods, from any p^eson or
p^esons whatsoeu^r. And for the true performance of the same I haue
hereunto sett my hand & Seale this 4th day of July 1659

Testes Andrew Warner Will^m Lucas.

Henry Nedham

Se # ale.

The Condiçōn of this Obligaōn is such, That if the s^d Henry
Nedham doe satisfy & pay unto Symon Ouerzee one Debt w^{ch} the s^d
Cole his Bond is out for the s^d Henry Nedham, or deliuer the s^d
Cole his Bond, Then this Bond to be uoyd & of none effect, otherwise
to stand in force.

Testes Will^m Lucas Andrew Warner.

p. 279
Re Stone

Wee whose names are here underwritten being requested by Cap^t
Will^m Stone Esq^r to ueiw a parcell of goods th^t are damnified, w^{ch}
goods the forenamed Cap^t Stone did receaue out of the shallop of
Cap^t Samuel Tilghman, After ueiw taken thereof & duly considered
the dammages wee doe testify as followeth, (Viz)

A peice of Lacram of 52 ells, the best halfe thereof damnified.
Ten yards of scarlett bays quite rotten in the middle, not worth one
third of the first ualew. One peice of Buckrom quite rotten. Cont
13 yards. Twenty fowre yards of Canuase wholly damnified. A
peice of Dowlas Cont 52 ells the one halfe damnified 2^t of Browne
thread & 2^t of Twyne wholly rotten. Seauen Lockram Shirts alto-
gether rotten. One dozen Lockram shirts one quarter damnified.
These aboues^d goods were shewen to us, and the Dammage iudged
according to the best of our understandings, as wittnes o^r hands the
11th ffebruary 1658.

Symon Ouerzee Joseph Harryson.

Symon Ouerzee of the Prouince of Maryland Merch^t Aged 31
yeares or thereabouts maketh Oath th^t this Appraysm^t made by him
& Joseph Harryson, was according to the best of his understanding &
skill. And further Sayth not

Symon Ouerzee

Sworne before me this 18th of May 1659 Job Chandler

Joseph Harryson of the Prouince of Maryland Aged 36 yeares or
thereabouts sworne & Examined Jurat idem ut Suprà.

Sworne before mee this 26th of May 1659 Job Chandler.

These Depositions were taken in the p^ence of Edward Prescott.

Attest. This is a True Copie & agrees wth the Originall

Ità testor Will^m Bretton Cler. 3^d June 1659.

These are to Will & requyre yo^u in the Lord Proprietaries name, to summone all such persons, who haue not subscribed the Engagem^t wthin yo^r County to appeare att the meeting howse in the s^d County uppon Twesday the second day of August next. Then & there to shew Cause why the Lands in their possessⁿ, or pretended to be held by tytle deryued from them, shall not be seized into the hands of the Lord Proprietary. Hereof fayle not as yo^u will answeare the Contray att yo^r perill. Gyuen under my hand this 23th day of July 1659

Josias ffendall.

Or if any man haue any other busines, Doe yo^u arrest them that yo^u shall be desyred to the Court to be held att the same time. And this shall bee yo^r warr^t. Gyuen under my hand this 24th of July 1659.

Josias ffendall.

Thomas Ringhould demands warr^t agst Joseph Wicks in accōn Case.

warr^t to the Sheriffe of Kent County to arrest &c: Ret. Prou: Court to be holden in Anarundel, County 2^o August next.

Summons to idem Sheriffe for Thomas Hinson, Thomas Sowth, Will^m Leeds, Deliuerance Loueley. And to Sheriffe of Anarundell Counte pro Roger Grosse to testify in ditt caâ. Sub pœna 500^t Tob each &c: Ret 2^o August ut suprâ (pro Ringhould.)

Summons to Sheriffe Anarundel County for Will^m William & John Salter to testify in ditt. Subpœn: 500^t Tob. (pro Wicks.)

Will^m Williams demands warr^t agst Joseph Wicks, Accōn sup^r Case.

War^t to the Sheriffe of Kent County to arrest &c: Ret. Prouinciall Court att Anarundel 2^o August ut suprâ.

Summons to idem Sheriffe for Thomas Snowks, Thomas Brookes & ffrancis Brookes to testify in ditt. subp. 500^t Tob. (pro Williams)

Speciall warr^t from the Gouverno^r to the Sheriffe of Kent to arrest the Body of Edward Coppage, to make answeare wthout delay, to such things as shall be layd to his charge on the behalfe of the L^d Prop^r, who is bownd ou^r to answeare att the Court ut suprâ 2^o August in Anarundell County.

Richard Blunt dds warr^t agst Philip Thomas accōn sup^r Case.

warr^t to the sheriffe of Anarundel to arrest &c: Ret 2^o August ut Suprà in Anarundel County.

Richard Deauer dds warr^t agst Archibald Archbuckle, accōn sup^r Case.

warr^t to Sheriffe Anarundel to arrest &c: Ret. ut suprâ

Liber
P. C. R.
July 23th
Oath of
Fidelity

p. 280

[An order
concerning
Quakers
made at this
Court is
printed in 3
Md. Arch.
Coun. 362.]
July 25th
Ringgold v.
Wickes

p. 281
Williams v.
Wickes

July 26th
Attorney
General v.
Coppage

July 27th
Blunt v.
Thomas

Deaver v.
Archbuckle

- Liber
P. C. R.
Smith v.
Sudward
Holman v.
Dorrell
Walter Smith dds warr^t agst James Sudward accōn sup^r Case.
war^t to the Sheriffe Anarundel to arrest &c: Ret 2^o August.
- Will^m Holeman dds warr^t agst George Dorrell accōn of Debt.
war^t to the Sheriffe Anarundel County to arrest &c: Ret 2^o August
next ut suprà.
- Freeman v.
Meares
Elizabeth ffreeman dds warr^t agst Thomas Meares Accōn sup^r
Case
War^t to the Sheriffe Anarundel County to arrest &c: Ret 2^d August
next ut suprà.
- Taylor v.
Armitage
Thomas Taylor dds warr^t agst Will^m Armitage, Accōn Debt.
war^t to the Sheriffe Anarundel County to arrest &c: Ret 2^d August
next ut Suprà.
- Wickes v.
Williams
Joseph Wicks dds warr^t agst William Williams in an Accōn of
Debt of 1200^t Tob.
war^t to the Sheriffe of Anarundel County to arrest &c: Ret att
the Court 2^d of August next, ut Suprà.
- 2d August
1659
Sheriffs
Returns
Sheriffe Anarundel County Returnes his writts (All Executed)
Sheriffe Kent County Returnes (writts all executed)
- p. 282
Att a Court holden in Anarundel County on Twesday 2^d August
1659.
Pnt^e
Josias ffindall Esq^r Gour^r { Coth Nathaniel Vtye
Philip Caluert Esq^r Sec^r { M^r Edward Lloyd.
- Re Hinson
Whereas Thomas Hinson hath petitioned this Court, Shewing that
hee hauing taken up the Boate wherein Edward Darcy & some others
were drowned, neare the Isle of Kent, being desyred by the s^d Darcys
Ouerseer to take up the same. W^{ch} he did, deliuering the same Boate
to the cheife in Authority, taking a discharge uppon the deliuey of
the same under his hand att Anarundell & now by his Petⁿ Crauing
for his paynes taking therein, as the Court now sitting shall adiudge
him.
It is Ordered th^t the s^d Thomas Hinson haue One hund^d pownds
of Tob. payd him for his s^d paines & Care taken, by those (whoeuer
they bee) that possesse & enioy the s^d Boate.
- Oath of
Fidelity
Vid. writt
fol. 279
Was Called afore the Board George Dorrell, James Homewood &
Thomas Homewood, & other the Inhabitants of the County of Ana-
rundel (being warned to appeare uppon speciall writt) who haue
not subscribed the Engagem^t, nor made Oath of ffidelity to his

Lordship, according to Act of Assembly in that Case providing: To shew cause why the Seuerall Lands or plantaõns seated & planted by them, should not bee seized into the L^d Proprietaries hands; They hauing not performed the Condiçõns of Plantaõn propownded & graunted by his L^p, whereby they be made capable & assured of enioying the same. Liber
P. C. R.

In answeare thereto George Dorrell Sayth, That hee hath not subscribed the Ingagemt neyther will he make oath of ffidelity to his L^p. And further that part of the Land hee now enioyeth, was taken up by him uppon his owne Right, for his Transport. And part he purchased & bought of Richard Yowng Deceased, before the Engagem^t was propownded or tendred according to the Act.

James Homewood & Thomas Homewood say the same Touching the Engagem^t & Oath of ffidelity. Yett they presume to haue Right to the Land they enioy for that they made Oath of ffidelity in Cap^t Stones time of gouernm^t & Seating their Lands uppon his L^{ps} promise.

Coth Nathaniel Vtye being desyred by the Gouverno^r to deliuer his Opinion in this Poynt. Sayth. That those poeple who deny to comply wth & fullfill such Condiçõns of Plantaõn propownded by his L^p. Ought not to enioy their Lands, allthough seated by them.

M^r Edward Lloyd Sayth, That the Articles not being performed. p. 283
The Land to belong to the Proprietary. Yett in his Judgm^t there ought to be some Consideraõn allowed for paynes of clearing, & charges of building uppon the same.

M^r Secretary. That noe one can claime any Land in this Prouince but Conditionally. That those Condiçõns are not p^rformed by those th^t haue not subscribed the Engagem^t. And therefore that the Lands of the non-subscribers be seised into the hands of the L^d Proprietary.

Gouerno^r. Whereas the Lord Proprietary did graunt Land to those, who transported themselues into the Prouince: provided that they fullfilled such Condiçõns, as his L^p had thereunto annexed. W^{ch} those poeple who did not take the Oath of ffidelity, or in roome thereof, who did not subscribe the Engagem^t, & doe still refuse soe to doe haue noe Right or Tytle to the Land by them taken up, And th^t the Lands be therefore seized into the hands of the Lord Prop^r.

It is therefore Ordered th^t the Land of the s^d George Dorrell, & the Lands allso of all the other seuerall Inhabitants of the County of Anarundell refusing to take the Oath of ffidelity to his L^p or subscribe the Ingagem^t, according to the Condiçõns of Plantaõn by his s^d L^p propownded, & instructions thereunto annexed, be forthwth seized into the hands of the L^d Proprietary.

Was Called afore the Board Edward Coppage, & taxed, for th^t being warned by the Sheriffe of Kent County, & prest by him (by order & uertue of Commisⁿ from the Gouverno^r) to assist him the s^d Sheriffe in a Boate uppon the Country seruice, for making, or con- Attorney
General v.
Coppage
Writt
Exeqⁿ
Vide fol. 287

Liber cluding a Peace wth the Easterne Shoare Indians of this Prouince:
 P. C. R. w^{ch} he denyed to doe, & att the same time for gyuing the s^d Sheriffe
 Vide 3 Md. some contumalious words or speeches.
 Arch. Coun.
 363

The s^d Coppage Sayth, th^t he did not refuse to goe wth him; But only willed him to goe & gett his other Company ready; & then hee would satisfy him, whither hee would obey his Command, & goe along wth him, or noe. As to those Contumelious words wherewth he is now taxed. Hee doth not deny the same.

It is Ordered That the s^d Coppage for his contempt in disobeying Lawfull authority & power, & his upbrayding the Sheriffe in words, haue Twenty Lashes on the bare back gyuen him by the Sheriffe forthwth.

Writt to Sheriffe, (according to the Order) ad Exequendu.

Attorney General v. Holliday
 p. 284
 Was Called afore the Board John Holliday, & Charged how th^t hee the s^d Holliday being willed & requyred by the Sheriffe of Anarundel to ayde and assist him, in what then actually concerned his Office who refused to giue his assistance as he ought in such Cases, being lawfully requyred thereto. In ansuere The s^d Holliday acknowledgeth that hee did not ayde the Sheriffe, when soe requyred by him.

It is therfore Ordered that the s^d John Holliday haue Twenty Lashes on the back gyuen him by the Sheriffe for his obstinancy & contempt in disobeying lawfull power & authority here.

Writt to Sheriffe (according to the Order) ad Exequendu forthwth.

Attorney General v. Sharpe
 Was Called afore the Board Peter Sharpe, & charged That he the s^d Sharpe being requyred to assist the Sheriffe of Anarundell in the apprehending of a Delinquent, as by his place & office he might doe. The s^d Sharpe refusing to obey his s^d Command, W^{ch} the s^d Peter Sharpe acknowledgeth he did not doe.

ffor w^{ch} Contempt It is ordered That the s^d Peter Sharpe be fyned therefore, & pay to the L^d Proprietary ffine hund^d pownds of Tob & Cask.

Hopkins v. Morgan
 Whereas William Hopkins hath petitioned this Court agst Owen Morgan his seruant, Shewing That he the s^d Owen hauing absented himselfe six whole weekes out of his s^d Masters Seruice, hee hath susteyned much dammage in his Crop this yeare, & charge in looking after him to the ualew of 3000^t Tob. And further, th^t hee the s^d Hopkins gyuing his s^d Seru^t Correction, his seru^t struck him his Master wth a Club, threatning him wth many unciuill & opprobious words, wth Cursing, swearing blaspheming &c:

It being proued th^t the s^d Owen was absent from his Masters seruice six whole weekes. Ordered according to the Act That hee

dowble the time by seruice (Viz) Twelue weekes longer, after the expiraõn of his time. As to the dammages w^{ch} the s^d Hopkins al-
leageth hee hath susteyned in his Crop to 3000^t Tob. Ordered as shall be adiudged, uppon prooffe by the Commis^{rs} of the County Court. As to his swearing &c: Ordered th^t the s^d Owen Morgan haue Thirty Lashes gyuen him on the bare back by the Sheriffe for his s^d swearing & blaspheming, & disobeying his s^d Master.

War^t to the Sheriffe ad Exequendu forthwth.

To the hon^{ble} &c: The humble Petⁿ of Richard Deauer Sheweth. Deaver v.
Archbuckle

That whereas yo^r Pet^r bought a parcell of Land in this County of Anarundell of Archibald Archbuckle, w^{ch} was assigned ouer to the s^d Archbuckle from John Couell (now deceased) And th^t the s^d Couell being one that refused submission unto the p^{ent} gouern^t. The sale of the s^d Land cannot be made good, w^{ch} will be much to the damage of yo^r Pet^r, he hauing payd for the s^d Land, wherefore yo^r Pet^r humbly Craueth Redresse herein &c: p. 285

To the petⁿ of the p^{lf} the dēft sayth, That the p^{lf} ought not to recouer of him, but of John Couell, to whom the Land did first belong, & therefore ought in all right & equity to make good the Sale. And thereuppon Craues an Non-suite, w^{ch} was graunted.

The p^{lf} Sheweth by her Petⁿ That her ffather being killed wth the the Indians, her Mothers Estate was ualued by Appraysm^t att 8000^t Tob, besides the furniture of her Chamber. Who afterwards married her selfe to the dēft Thomas Meares. W^{ch} Meares now refuseth to giue acc^t of th^t Estate; & keepeth her Brother as a Seruant or slaue, deteyning some things allso from the p^{lf}, w^{ch} were by her ffather formerly gyuen her. ffurther Crauing th^t the dēft may be enforced to giue in an account uppon Oath concerning the s^d Estate, & That her Brother may haue liberty to choose his guardian. And th^t that her Brothers Estate may be deliuered unto the p^{lf}, for her & her Brothers use. Elizabeth
freeman v.
Thomas
Meares

The Court see noe Cause of Accõn, & thereuppon the p^{lf} is non-suited.

To the hon^{ble} &c: The humble Petⁿ of Will^m Holman Sheweth, Holman v.
Chapman
That whereas yo^r Pet^r hath due unto him a Cow & yeareling Calfe from Thomas Chapman in Consideraõn of works done last yeare. And the s^d Chapman uppon his departure out of the prouince, ap-
poynted George Dorrell to deliuer the s^d Cow &c: unto yo^r Pet^r, when the s^d worke was finished w^{ch} being demanded. Deliuary was refused by the s^d Dorrell, And afterward by reason the frost, the s^d Cattle perished, whereby yo^r Pet^r is yett unsatisfyed in part of his labour, who therefore Craueth order for satisfaction eyther in Cattle or ualew wth Costs of suite &c:

Liber
P. C. R. The dēft denyeth what the p^lf alleageth in his Petⁿ. In which Case, Abraham Holman deposed in open Court sayth That his Brother should haue had a Cow deliuered him, when hee had sett up 25 Tun of Cask.

To w^{ch} the dēft sayth, th^t att the finishing of the Bargaine hee gaue the p^lf his Bill, or Condi^cōn up; Telling him th^t the Cow w^{ch} hee was to haue, was in his plantaōn; & therefore willed him now to looke after her himselfe for th^t he was discharged of all bargaines wth him.

p. 286 John Stewart deposed in Court sayth, That uppon the deliury in of the Bill, he wished the p^lf to looke after the Cow. And the p^lf desyred the dēft to giue the Cow some Corne, & he would repay it againe saying th^t hee would fetch her ouer the water, soe soone as he could.

James Sudward Sayth That hee & the p^lf came to the Dēfts Brothers howse, intending to goe unto the Indians: & discoursing about the bargaine performed, The dēft willed the p^lf to looke after his Cowe himselfe. And th^t before they came to that howse, he heard the p^lf say That he could find in his heart to carry the Cow ouer uppon the yce

The Judgm^t of the whole Court is, That there was a sufficient tender made by the dēft.

Ordered That the p^lf be nonsuited.

Blunt v.
Thomas To the hon^{bte} &c: The humble Petⁿ of Richard Blunt Sheweth, Whereas yo^r Pet^r hath bought of Philip Thomas this parcell of Land cleared & uncleared, wth the howses uppon the s^d Land, & hath warranted true sale thereof from any p^eson or p^esons laying claime thereunto. Yo^r Pet^r hath sought for a Patent for the houlding of the same Land w^{ch} hath bene denyed him. Yo^r Pet^r humbly Craueth that the s^d Philip Thomas may make true sale of the Land & howses, th^t he hath sold unto yo^r Pet^r, or th^t hee may haue his Tob againe that hee hath payd to the s^d Philip Thomas for the s^d Land, & &c:

The dēft sayth, That there was such & such Land, reserued by the Inhabitants of this County, att their first comming up here to seate, for their publike use (intending to gett the same confirmed by his Lordship) whereon att their common Charge they afterwards erected a meeting howse, (the howse the p^lf now claymeth to be his, according to th^t Condi^cōn) On w^{ch} Land the dēft was permitted then to seate, wth the consent of the Inhabitants here. And afterwards relinquishing the s^d Land, whereon himselfe had both built & cleared, hee sold his right therein to the p^lf Richard Blunt, & his Copartner Thomas Sowth. And Thomas Sowth (then present in Court) euindenceth & declareth That att the Bargaine making wth the dēft for that Land, hee did not intend to claime that howse now in question, for hee knew & understood th^t it was euer intended for the publike

use of the County: But only the grownd cleared, & those howses
 built att the dēfts owne proper Costs. Liber
P. C. R.

The Judgm^t of the Court is, That, according to the Declaraōn
 of Thomas Sowth, first mentioned in the Deed or Bill of Sale, who
 understood th^t the dēft had but a permissiue right in that Land, &
 th^t hee sold noe other right, but only that permissiue right: the p^{tf}
 can challenge noe other right, then what the dēft sold, & the p^{tf}s p. 287
 Copartner Thomas Sowth acknowledgeth, & was intended.

The dēft hath not wronged the p^{tf} in the sale.

The Court adiorned by the Gouverno^r till tomorrow morning 10th
 Clock.

To the Sheriffe 210^t To the Clk 062^t.

Writt of Exeqⁿ issued to the Sheriffe & Clerke of County of Kent,
 ffor Sheriffe & Clerkes ffees according to the Order of Court &c:
 fol. 283, agst Edward Coppage Attorney
General v.
Coppage

War^t to the Sheriffe of Anarundel County to bring Thomas
 Thurstone to the Court to morrow morning, To make answe^re to
 what shall be there obiected agst him on the behalfe of the L^d Pro-
 prietary. Attorney
General v.
Thurston

Att a Court held in Anarundel County on Wednesday 3^d of August Aug. 3
 1659.

Pnt^e

Josias ffendall Esq^r Gou^r } Coth Nathaniel Vtye
 Philip Caluert Esq^r Secr } M^r Edward Lloyd.

Whereas Thomas Ringhould p^{tf} sheweth by his Petⁿ That hee
 surueyed a parcell of Land on the Easterne Shoare in Chesapeack
 Bay ouer agst the North East end of the Isle of Kent, & adioyning
 to the Land surueyed to Thomas Sowth, And whereas Joseph Wicks
 dēft came afterwards & surueyed the same Land in his owne right,
 thereuppon clayming & pretending tytle to the same, cutting out the
 p^{tf}s marks on the s^d Land, as himselfe acknowledgeth in Court. Ringgold v.
Wickes

John Salter (att the instance of the dēft) sayth That M^r Clearke
 told M^r Wicks, th^t what Land hee had made choyce of for himselfe
 hee should haue noe wrong therein; & shewed M^r Clearke the
 Certificate of the suruey. And M^r Clearke gaue him the Certificate
 back againe, Saying th^t when hee came up, hee would rectify it, other-
 wise that his Certificate should stand.

It appearing by the date of the Certificates of both the Surueys
 produced & Shewen in Court, That the p^{tf}s Certificate bares date
 21th ffeb: 1658 & confirmed by the Surveyo^r under his hand 25
 ffeb. ffollowing. And the dēfts Certificate (being surueyed & signed
 by himselfe) beares date 27 Aprill 1659. Exeqⁿ
issued
Vid. fol. 321

Liber
P. C. R. The Judgm^t of the Court is, th^t the p^lfs Certificate ought of right to bee preferd, & take place according to itt^s date. Ordered That the p^lf enioy his right in the s^d Land, & haue Pattent according to Certificate for the same. Wth Costs of suite.

Re Scotch-
er's Estate
p. 288 Whereas Godfrey Bayley hath Petiōned this Court in the behalfe of Rose Scotcher Widow, That according to the Custome of this Prouince shee haue allowed her necessary furniture for her Chamber, before the Estate be deuided. Ordered according to the s^d Petⁿ, That M^r Edward Lloyd M^r Samuel Wythers, & M^r George Vtye, choose out of the Estate of John Scotcher Deceased, (allready inuentorized & now exhibited in Court), such necessaries as may be reasonable for furnishing the Pet^{rs} Chamber as to them shall seeme conuenient.

Allcock and
Slade v.
Hawkins Whereas Samuel Allcock & Will^m Slade p^lfs haue petitioned this Court agst Raph Hawkins dēft, Shewing, That they bought a parcell of Land of the dēft, for w^{ch} they gaue their Bill, engaging themselues thereby to pay 1300^t Tob & Cask That In part of paym^t for the s^d Land the Pet^{rs} haue payd allready 360^t Tob. & 3 barrells of Corne receiued by the dēft att 70^t the Barrell, Requesting, That seeing the dēft can make them noe assurance of their peaceably enioying the same, they may haue their Tob. & Corne back againe repayd them by the dēft, & their Bill deliuered them in, to be cancelled. The dēft hauing not subscribed the Ingagem^t as is p^rouided for by Act of Assembly, nor made Oath of ffidelity to his L^p according to Condi^cōns of Plantaōn & proposed by his L^p; & still refusing soe to doe, hath consequently rendred himselfe incapable of gyuing any assurance of the Land soe sold by him; or holding any other Land of or from his L^p according to Condi^cōns of Plantaōn.

It is Ordered That the dēft repay the 360^t Tob. & 3 barrells of Corne (eyther the Corne or the ualew att 70^t p^r Barrell) to the Pet^{rs}. And deliuer in their Bill, (w^{ch} is accordingly deliuered & cancelld in Court. And the parties now possessing that Land pay the full summe of Thirteene hund^d p^ounds of Tob & Cask, to his L^{ps} Receiuer for the use of his L^p. And the Land to bee thereuppon graunted to them under the Greate Seale of the Prouince, to be holden of his s^d L^p.

Freeman v.
Miles Whereas John ffreeman p^r Attornat Richard Huggins p^lf hath petitioned this Court agst Thomas Miles dēft Shewing, That hee hauing bought a parcell of Land of the dēft, Conteyning by Estimaōn Ten Acres, Lying on the Sowth side of Seauerne Riuer betweene the Land belonging to Edward Dorcy & John Norwood, for w^{ch} hee hath allready payd & satisfyed fīue hundred & ten p^ounds of Tob, (being the price of the Land) yett can haue noe assurance thereof, his L^{ps} Condi^cōns of plantaōn, being not performed by them, who first

tooke up, & sold the same, Crauing therefore th^t the s^d Thomas Miles may eyther according to his Engagem^t wth the p^{ff} giue him Assurance that he may peaceably enioy the same wthout molestaōn or trouble, or ells repay the 510^t Tob back againe to him. It appearing by the dēft his Condiōn or Bill of Sale shewen in Court th^t Nicholas Wyatt first tooke up this Land, & sold the same to the dēft And the dēft sold the same againe to John ffreeman p^{ff}, And for that the s^d Nicholas Wyatt hath not subscribed the Engagem^t, as is provided for by Act of Assembly, nor made Oath of ffidelity to his L^p according to Condiōns of Plantaōn proposed by his L^p & still refusing soe to doe, hath consequently made himselfe uncapable of gyuing any assurance of the Land soe sold by him; or of holding any other Land of or from his s^d Lordship, according to the Condiōns of Plantaōn.

Liber
P. C. R.
p. 289

It is therefore Ordered That the s^d Nicholas Wyatt who first sold this Ten Acres, (hauing noe right thereto, in not complying wth the Condiōns of Plantaōn as afores^d) Repay back that ffive hundred & Ten pownds of Tob to John ffreeman: And ffreeman againe to pay the same summe to his L^{ps} Receiuer, for the L^d Proprietaries use, And thereuppon the s^d ffreeman to haue that Land confirmed unto him, & his heyres for euer from his s^d Lordship, wth Charges of Court.

Thomas Ringhould informes the Court, how th^t M^r Joseph Wicks being appoynted Deputy Surueyo^r, hath surueyed a parcell of Land knowhe by the name of the Lower Easterne neck, where Thomas Hinson is now seated, in behalfe of himselfe & the sayd Hinson for 300 Acres or thereabouts: whenas there is much more Land wthin those marked Bownds soe surueyed by him. Defrawding thereby his L^p of the Land, & consequently of his due Rent. And therefore Craues th^t the Court would authorize some One, to Resuruey the same Land againe.

Re Wickes

Ordered (according to the s^d Ringhoulds Request) That M^r Robert Burle, Resuruey that same parcell of Land, formerly surueyed as afores^d, & Returne Certificate of the Suruey thereof to the next Prouinciall Court to be holden 4th of Octob^r next.

Commisⁿ to M^r Rob^t Burle &c: according to the Order.

Whereas M^r Thomas Hinson hath petitioned the Court, Shewing That hauing warr^t to take up Land, The Surueyo^r being not then able to Lay out the same, Authorized him to marke any parcell of Land not formerly marked or surueyed, & att his next comming up into these parts he would suruey the same for him, W^{ch} the Pet^r did, Yett the Surueyo^r not hauing layd out the same & deputing M^r Will^m Coursey his Deputy, his Brother M^r [Henry Coursey] intends as the Pet^r is informed to obstruct him in th^t his choyce, Presuming that his s^d Brother, being Deputy Surueyo^r, eyther hath or will suruey th^t

Hinson v.
Coursey

p. 290

Liber
P. C. R. Land from his s^d Brother. The s^d M^r Henry Coursey alleaging, th^t it is allready Surueyed for him. And humbly Craueth th^t M^r William Coursey may declare & informe the Court whither or noe hee did understand th^t the Pet^r had marked th^t Land there. And whither hee hath surueyed that Land for his Brother, now in dispute, yea or noe?

Will^m Coursey, Sayth uppon Oath, That goeing to suruey Land on the Easterne shoare, he found a Tree marked there wth an (H) & understood by M^r Ringhould th^t M^r Hinson had marked some trees in th^t place: But knew not in what Branch hee had marked them; for in the Creeke there were Two branches. And that hee hath not surueyed th^t Land for his Brother Henry, or any other, now claymed by M^r Hinson.

Ordered therefore th^t the Surueyo^r Suruey that Land specifeyed and marked by M^r Hinson, for the s^d Hinsons use.

Kent
County
Limits It is Ordered that those Plantaõns allready seated, or to bee seated on the Easterne shoare adioyning & neare to the Isle of Kent, shall bee esteemed as belonging to Kent County, till further Order therein from the Gou^r & Coúncell to the Contrary.

Attorney
General v.
Thurston
Vide 3 Md.
Arch. Coun.
364 Was called afore the Board Thomas Thurstone & demanded why being formerly banished this prouince, hee hath presumed to returne hither againe contrary to an Order sett forth & published on the 23th day of July last, in contempt of his L^{ps} authority here. Deluding the poeple wth uisions & such like fancies uery preiudiciall to his L^{ps} peace & gouerm^t, & noe small disturbance to the quiett of the whole prouince.

In answeere thereto the s^d Thomas Thurstone Sayth That hee hath not bene in the prouince aboue Twelue dayes & therfore doth not conceaue th^t That Order hath relaõ to him being in the prouince att the making & publishing thereof. That hee hath not done any thing, since his arryuall, preiudiciall to the peace of his L^p, or quiett of the Prouince: Neyther doth hee conceaue that hee hath bene formerly banished.

Whereuppon the Court Ordered this following Order to be drawne up and published. [See 3 Md. Arch. Coun. 364]

The Gouerno^r dissolved the Court.

p. 291
Aug. 4
Vid. fol. 263
Sheriff of
Kent v.
Sowth writt of Exeqⁿ issued to the Sheriffe of Kent for his Sheriffs & Clerks ffees uppon the goods &c of Thomas Sowth, in th^t Cause iudged betweene him the s^d Sowth & John Salter besides ffee of Exeqⁿ & Cłks fee for the writt 23^l.

Sheriff of
Anne
Arundel v.
Larkin
Vid. fol. 258 Writt of Exeqⁿ issued to the Sheriffe of Anarundel County &c: agst John Larkin for 1000^l Tob. according to Order of Court 25 Aprill 1659, Besides Cłk ffees Order & Copie 32 writt Exeqn 23 55

Thomas Bennett complayneth agst Thomas Gerard Esq^r & dds writt in accōn of Case. Liber
P. C. R.
August 13th
Bennett v.
Gerard

Summons to M^r Gerrard to be the next Prouinciall Court to be holden 4th of Octob next, there to answeare &c:

Daniel Clocker complayneth agst Job Chandler Esq^r & demands writt in an accōn of Case. Clocker v.
Chandler

Summons to M^r Chandler to be at the Prouincill Court to bee holden 4th of Octob^r

Writt to the Sheriffe of Caluert County to haue Philip Morgan gentⁿ att the Prouinciall Court to be holden 4th of Octob^r next to answeare to what shall be then & there layd to his charge on the behalfe of the Lord Prop^r. August 17th
p. 292
Attorney
General v.
Morgan

Writt to the Sheriffe of Caluert County Pro non Subscribers the Ingagem^t ut ante in Anarundel County fol 279 Ret. Eod. die ut in writt. Oath of
fidelity

John Tucker Records his marke of Cattle &c: (Viz) Both eares mrk Cattle Swallow Tayled.

Thomas Manning Recordeth his marke of Cattle (Viz) The right eare Cropt, & a slitt in the Crop, The left eare underhald.

Thomas Manning Recordeth these Cattle for his sonne John Manning, being gyuen him the s^d John, by his Vncle Richard Manning (Viz) One Browne Cow called Star-buck, One yeareling heifer, & one Steare Calfe, marked, The Left eare Cropt, & a slitt in the Crop, The Right eare ouerhald. Re Man-
ning's Cattle

Vincent Atchison came & demands war^t agst Thomas Barrett accusing him of Incontinency &c: August 22th
Atchison v.
Barrett

War^t to the Respective Constables of S^t Maries, S^t Georges, S^t Inego's, & S^t Michàèls hund^{ds}, to bring the s^d Barrett imēdiately or before 3 clock to morrow afternoone afore &c: to answeare &c: ut in Writt, & Then Ret next Prouin- Court 4^o Octob^r.

Richard Couell p^r Attornat, Thomas Mathewes demands writt agst William Battin in accōn Sup^r Case. Covell v.
Battin

Warr^t to the Sheriffe Charles County &c: Ret. next Prouinciall Court 4^o Octob^r next, ut suprà.

Will^m Boreman recordeth his marke of Cattle &c: The left Eare Cropt wth two slitts in the Crop, The Right eare underkeld. mrk Cattle

M^r Symon Ouerzee demands warr^t agst John Williams in accōn of Debt. Overzee v.
Williams

Liber
P. C. R. War^t to the Sheriffe of S^t Maries County to arrest &c: Ret. next
Prouinciall Court 4^o Octob^r ut Suprà.

Bevin v.
Harvey Hugh Beuin dds war^t agst Thomas Haruey in an accōn Case.
War^t to the sheriffe of S^t Maries County to arrest &c: Ret. next
Prou: Court 4^o Octobris, ut Suprà.

Gerard v.
Jarboe
p. 293 Know all men by these p^{nts} That I Walter Hall of Newtowne doe
& in Consideraōn that M^r John Jarbo of the same place is engaged by
Judgm^t to pay unto M^r Thomas Gerard & M^r Robert Slye Certaine
Debts for the Estate of Henry ffox deceased, ffor w^{ch} I the s^d Walter
Hall Admistrato^r to the s^d ffox doe make & firmly bind ouer all my
Crop this present yeare to the s^d M^r Jarbo, to enioy as his owne for
the paym^t of the s^d Debt. As wittnes my hand Septemb^r 20th 1659.
Testes L Barber John Dauis. Walter Hall.

Re Jarboe's
Cow This Day came John Jarbo, & acknowledgeth to haue gyuen &
doth hereby giue unto Yowng Henry ffox One Red Cow named
Mall, & a Red yeareling Heifer (marked ouerkeeld on both eares &
the tip of the right eare cutt of.) wth all their whole encrease both
male & ffemale, towards the meintenance of the s^d Child, & to ad-
uance him a portion. Wittnes my hand this 20th Day of Septemb^r
1659 John Jarbo
Cora^m me Will^m Bretton.

Septemb^r 3d
Hewes v.
Stone Will^m Hewes dds summons agst Cap^t Will^m Stone.
Summons to the Sheriffe of Charles County, to answe^re &c: Ret.
next Prouinciall Court 4^o Octob^r next.
Summons to ide^m Sheriffe for Mathew Stone to testify in dit. 500^t
Tob &c:

Re Knap
Vid. fol. 243 Exequuōn issued to the Sheriffe of Caluert County to Leauy 500^t
Tob &c: on John Knap, according to Order 22th Aprill 1659, fol. 243.

Bateman v.
Patrickson M^r John Bateman demands War^t agst Rob^t Patrickson Will^m
Ennis, Alexander Watts, John Bagbey, & Will^m Mills in an accōn
Trespasse.
War^t to the Sheriffe of Caluert County, to Arrest &c: Ret Prouin-
ciall Court 4^o Octob^r next.

Attorney
General v.
Bagbey
p. 294 War^t to the Sheriffe of Caluert County for John Bagbey to an-
swere to what shall bee obiected agst him on the behalfe of the Lord
Prop^r Octob. ut Suprà

Re Gilford This Bill bindeth mee Will^m Gilford my heyres or assignes to pay
or cause to be payd unto Henry Potter his heyres or Assignes the

full & iust summe of nine hund^d pownds of good sownd merch^{bte} Tob & cask att or uppon the Tenth day of Nouemb^r next ensuing the date hereof, And for the true p^eformance hereof I haue hereunto putt my hand this 2^d of ffebruary 1658

Liber
P. C. R.

Wittnes Marks Pheypo Thomas How.

The mark of
Will^m Gillford

This Bill bindeth mee Will^m Gillford, my Adm̄istrato^{rs} or Assignes to pay unto Henry Potter, or his Assignes the full & iust Summe of One Thowsand six hund^d pownds of good & merch^{bte} Tob & cask according to the Law now erected, for payments of Tob, And to bee payd in Patux^t Riuer att or uppon the tenth of Nouemb^r next, And for the true p^eformance hereof, I the sayd Will^m Gillford, doe bind ouer my Plantaōn, w^{ch} now I liue uppon in Patux^t Riuer, wth all the howsings or edifices thereon erected & built. And I doe giue the s^d Potter full power to enter uppon the s^d Plantaōn, w^{thout} any molestaōn or hinderance of me Will^m Gillford in case I doe not pay the afores^d summe, by the time appoynted. As wittnes my hand this 8th Decemb^r 1658.

Will^m Ⓐ Gillford

Wittn. Mich: Brooke John Knap.

his marke.

Marks Pheypo demands warr^t agst Philip Land in an accōn of Debt to the ualew of Three hund^d pownds of Tob.

Septēbr 26
Pheypo v.
Land

Writt to the Sheriffe of S^t Maries County to arrest &c: Ret next Prouincial Court 4^o Octob^r next ut Sup^r.

John Lewger These are to impowre yo^u to make an Oake in roome of the Ash, you haue mistaken for an Oake, Being the Bownd Tree to Land surueyed for John Jarbo, Prouided the Oake bee not aboue Twenty paces from the Ash allready marked.

Re Jarboe's
Land

Septemb^r 1659

Josias ffendall

Sheriffe of S^t Maries County Ret Writts (All Executed) Except Marks Pheypo X Phil: Land.

Octobr 4th
p. 295
Sheriff's
Returns

Sheriffe Caluert Ret. Writts All Executed.

Sheriffe Anarundel County Ret. All Executed.

Att a Court held in Resurrection Manno^r att M^r John Batemans howse, in Caluert County Twesday 4^o Octob^r 1659.

Pnt^e

Josias ffendal Esq^r Gou^r } M^r Thomas Gerard
Philip Caluert Esq^r Sec^r } M^r Baker Brooke.

Vppon speciall & urgent occasion of the Councell The Court is adioined by the Gouverno^r till tomorrow morning, & Ordered to be held att M^r George Reades howse in the same manno^r.

Liber
P. C. R.
Oct. 5 Pnt^e

Wednesday 5^o Octobr att M^r George Reades howse.

Josias ffendel Esq ^r Gour ^r	} M ^r Thom: Gerard	} M ^r Baker Brooke		
Philip Caluert Esq ^r Sec ^r			} Co th Nathan: Vtye	} M ^r Ed: Lloyd.
Cap ^t Will ^m Stone				

To the hon^{bte} the Leiut^t of Maryland &c:

Utye v. Sharpe
p. 296 The humble Petⁿ of Rich: Collett Attorney of Coth Nathaniel Vtye Sheweth That whereas Cornelius Abramson did transport out of Virginia into this Prouince one Daniel Browne indebted to Thomas Poole in Virginia, who obteyned Order there agst the s^d Abramson for the Debt, in Case he returned not the s^d Dan: Browne downe againe. And whereas the s^d Cornelius being ready to carry downe the s^d Browne, Robert Kingsbury undertooke before M^r Preston to satisfy th^t Debt of Brownes to what euer it amounted unto, And whereas since againe M^r Peter Sharpe undertooke to pay that Debt, w^{ch} amounteth to 500^t Tob. wth Costs of suite (as by the Copey of the Order from Virginia appeareth) And whereas That order was assigned ouer in Court to Cap^t Lawrence Wa[shington] Deceased. now belongeth to Coth Nathaniel Vtye, who [married] the Relict of the s^d Cap^t Ward, now the s^d M^r Sharpe not hauing satisfied that Debt according to his undertaking & promise to M^r Vtye whose Attorney yo^r Pet^r is. He humbly therefore Craueth an Order of this Court agst the s^d Sharpe for the s^d Debt, according to the Order of Court had in Virginia wth Costs thereunto belonging & hee shall eu^r pray &c:

To the Petⁿ of the p^{lf}, the Dēft sayth, th^t hee hath already satisfied th^t Debt, by paying unto the Pet^r one hogshead of Tob. The p^{lf} replyeth th^t he receiued one hogshead of Tob, yett after he had receiued it the dēft would not suffer him to carry it away

The Deposⁿ of Samuel Leister sworne & examined this 15th of Septemb^r 1659.

That about two yeares since this Depon^t went wth M^r Richard Collett to receiue a hogshead of Tob from M^r Peter Sharpe & after the s^d M^r Collett had marked the s^d hogshead, That M^r Sharpe did declare th^t the s^d hogshead should not goe uppon that account & further this Depon^t sayth not

Jurat Cora^m Henry Coursey.

The Dēft replyeth, That that hogshead of Tob, w^{ch} the p^{lf} marked is still lying in his howse, w^{ch} he hath euer since looked unto as his owne.

Both parties agreeing betwixt themselues

The Dēft assumed to pay unto the p^{lf} One hogshead of Tob, & satisfy ouer & aboue all Charges of Court.

To the hon^{bte} the Gour & Councill &c:

The humble Petⁿ of Daniel Clocker Sheweth That whereas M^r Job Chandeler promised unto the Wife of yo^r Pet^r full & Considerable satisfaction for the bringing M^r Ouerzees Wife to Bed, in her lying in, & for yo^r Pet^{rs} Wifes Charges & paynes in tending the s^d M^{rs} Ouerzees Child: As also satisfaction for the s^d M^{rs} Ouerzees Coffin: yo^r Pet^r humbly craueth Order for satisfaction, & shall eu^r pray.

Liber
P. C. R.
Clocker v.
Chandler

Know all men by these p^{ents} that I Job Chandler of Charles County in the prouince of Maryland, doe constitute & ordaine my Welbeloued Brother Symon Ouerzee of S^t Maries County in the prouince aboues^d Merch^t, to bee my true & lawfull Attorney in a suite depending att the next prouinciall Court, betweene me the aboues^d Chandler & Daniel Clocker & what my s^d Attorney shall doe in the premisses I will allow, & [rati]fy, & confirme, as if I my selfe were personally present as [witt]nes my hand this 20th of Septemb^r 1659

Job Chandler

The p^{lfs} Petⁿ being read, the Dēft sayth th^t hee hath already p. 297 satisfied the p^lf, w^{ch} the p^lf denyeth.

Whereuppon the dēft Craues for a Jury, to Consider whither according to the p^{lfs} Petⁿ he appeare satisfied or noe.

war^t to the Sheriffe to empanel a Jury forthwth.

Sheriffe Ret. & warned
fforemaⁿ

M ^r Thomas Turner	Richard Games	Timothy Goodrick
M ^r Walter Hall	Stephen Benson	Will ^m Innis
M ^r Thomas Ringould	Alexander Watts	M ^r Rich: Collett
Lef ^t John Bouge	Will ^m mills	John Troster.

Jury all agreeing Returnes their Verdict ioyntly by their fforeman, in writing on the backside of the p^{lfs} Petⁿ, (Viz)

Vid. Order
fol. 306

Wee find th^t the p^lf is yett unsatisfied.

Whereas John Washington of Westmerland County in Virginia hath made Complaynt agst Edward Prescott merch^t, Accusing the s^d Prescott of ffelony unto the Gouverno^r of this Prouince, Alleaging how that hee the s^d Prescott hanged a Witch in his ship, as hee was outwards bownd from England hither the last yeare. Vppon w^{ch} Complaynt of the s^d Washington, the Gour caused the s^d Edward Prescott to bee arrested; Taking Bond for his appearance att this Prouinciall Court of 40000^t Tob, Gyuing moreouer notice to the s^d Washington by letter of his proceedings therein, (a Copie of w^{ch} lrē, wth the s^d Washingtons answeare thereto are as followeth).

Washington
v. Prescott

Liber M^r Washington
P. C. R.

Vppon yo^r Complaynt to mee th^t M^r Prescott did in his uoyage from England hither cause a Woman to bee Executed for a Witch, I haue caused him to bee apprehended uppon suspition of ffelony, & doe intend to bind him ouer to the Prouinciall Court to answere it, Where I doe also exspect yo^u to bee, to make good yo^r Charge. Hee will bee called uppon his Tryall the 4th or 5th of Octob^r next, att the Court to bee held then att Patux^t, neare M^{rs} ffenwicks howse. Where I suppose yo^u will not fayle to bee. Wittnesses Examined in Virginia will bee of noe ualew here in this Case, for they must bee face to face wth the party accused, or they stand for nothing. I thought good to acquaynt yo^u wth this, that yo^u may not come unprouided. This att present S^r is all from

29th Septemb^r

Yo^r ffreind

Josias ffendall.

p. 298 Hon^{ble} S^r

Yo^{rs} of this 29th instant this day I receaued. I am sorry th^t my extraordinary occasions will not permitt mee to bee att the next Prouinciall Court, to bee held in Maryland the 4th of this next month, Because then god willing I intend to gett my yowng sonne baptized, All the Company & Gossips being already inuited, Besides in this short time Wittnesses cannott be gott to come ouer. But if M^r Prescott be bownd to answere it the next Prouinciall Court after this, I shall doe what lyeth in my power to gett them ouer, S^r I shall desyre yo^u for to acquaynt mee whither M^r Prescott be bound ouer to the next Court, & when the Court is that I may haue some time for to prouide euidence & soe I rest
30th of Septemb^r 1659.

yo^r ffreind & Seru^t

John Washington.

To w^{ch} Complaynt of John Washington the s^d Edward Prescott (submitting himselfe to his tryall) denyeth not, but that there was One Elizabeth Richardson hanged in his ship, as hee was outward Bownd the last yeare from England, & comming for this prouince, neare unto the Western Islands, by his Master & Company, (Hee hauing appoynted one John Greene for th^t Voyage Master, though himselfe was both merch^t & owner of the ship) But further sayth, That he wthstood the proceedings of his s^d Master and Company, & protested agst them in that busines. And that thereuppon both the Master & Company were ready to mutiny. And it appearing to the Court by the Printed Custome howse Discharge & Light-howse Bills or acquittances produced & shewen by the s^d Edw: Prescott taken or gyuen in John Greenes name; that the s^d Greene was master for th^t Voyage, & not Edward Prescott. And noe One comming to prosequute, The s^d Prescott therefore prays that hee may bee acquitted.

Whereuppon (standing uppon his Justificaōn) Proclamaōn was made by the Sheriffe in these uery words. Liber
P. C. R.

O yes &c:

Edward Prescott Prisoner at the Bar uppon suspition of ffelony stand uppon his acquittall. If any person can giue euidence against him, lett him come in, for the Prisoner otherwise will bee acquitt.

And noe on[e app]earing, The Prisoner is acquitted by the Board.

To the hon^{bte} the Gouverno^r & Councill &c:

The humble Petⁿ of John Bateman, humbly sheweth That whereas yo^r Pet^r hath to his great cost & Charge purchased of Cap^t Tho: Cornewaleys Esq^r the Manno^r of the Resurrection in Patux^t Riuer, yo^r Pet^r hath fownd to his great dammage seuerall persons (namely Rob^t Patrickson, Will^m Ennis, Alexander Watts, John Bagby, & Will^m Mills) That haue seated, spoyled, & worne out part of the s^d Land, belonging to the s^d Manno^r. p. 299
Bateman v.
Patrickson
et al.

Yo^r Pet^r humbly Craueth Judgm^t agst the s^d parties for his dammage, & hee shall euer pray &c:

This cause being intricate, by reason the surueyo^r is not present in Court, who can giue the only light in this difference, concerning the Bownds. And it being allso alleaged by M^r Rich: Preston (interested in the Cause who surveyed that Land now claymed by the p^{tf}, as belonging to his manno^r) That M^r Henry Coursey ended (as hee supposed) the difference concerning Cap^t Cornewaley's Bownds of that his Land.

It is therefore Ordered th^t this Busines be respited till the next Prouincial Court. And th^t M^r Robert Clearke, who surueyed the Land & M^r Henry Coursey allso, who ended the former difference (as is alleaged) be summoned to the s^d Court, to declare their intention concerning the Bownds mentioned in the p^{tf}s Graunt or Patent. Vid. fol. 328
& fol. 344

Whereas Anne Barbery being accused att the County Court in Caluert County for hauing a Bastard, & the Child being dead (yett exposed & fownd in a Tob. howse though then lyuing) uppon suspition of ffelony: The Commis^{rs} of th^t County Court haue sent up this Cause to this Prouincial Court to be further heard & Determined. Attorney
General v.
Barbery

Anne Barbery aged 36 yeares, or thereabouts Examined Sayth, That shee did deny th^t shee was wth Child, being taxed by seuerall persons, alleging th^t it was nothing but the spleene shee was troubled wth. And that shee was taken on a suddaine, & could not send for woemen. The reason why shee did not acquaynt any wth it, when shee was deliuered was, Because shee intended when god made her able, to carry it to the ffather Joseph Edlow, for it was his the reason why concealed it & hid it from the men in the howse for th^t shee thought they would bee uery angry wth her. That although shee layd it in the Tob howse, yett shee went to it uery often & p. 300

Liber
P. C. R. gaue it the best things shee had to comfort it, & brought it into the howse, when the men were att worke: & washed it, & dressed it againe, And although shee layd it in the Tob howse, shee lett it want for noe tendance, for shee had noe euill intentions towards it: but thought to conceale it till shee were a little stronger: ffor shee thought wthin 3 or 4 dayes shee should be able to carry it to the ffather, And th^t was the only reason shee concealed it, & noe other

Taken before mee the 28th day of June 1659. Hugh Stanley.

Thomas Cobham sworne in open Court Sayth, That on the 4th day of June (as hee supposeth) att night, Lighting his Pipe of Tob: & walking up & downe the yard, hee heard a Child Cry, supposing th^t there had bene Indians in the Tob howse, And went to Bed thinking nothing, Butt in the morning (the Cry running still in his mind) hee went into the Tob howse; & in a Tob. hogshead th^t had a few husks about it, hee found a yowng Child, & brought it to the woman Anne Barbery, & asked her, whither that Child was hers or noe? & who was the ffather thereof? Shee answered That it was hers, & th^t Joseph Edlow was the ffather of it. Soe deliuering the Child to her, hee willed her to haue a Care of it, whilst hee & his Mate Thomas Nobs, went to the next Neighbo^{rs} howse to help in wth a Tob howse frame. And in the way discoursing about the busines, they thought best not to leaue the woman alone. Whereuppon hee this Depon^t went forwards, & Thomas Nobs returned home to the woman. And the frame of the howse being gott in, hee this Depon^t came home, & the woman told him, th^t the Child was dead. And being then night, the next morning hee went & declared the whole Busines to M^r Stanley hee being next Commis^r.

Anne Howse sworne sayth, That about 24 howres after the Child was departed (by the Relaōn of the poeple in the howse) shee being brought thither, Saw uppon the Belly of the Child a Blew spott, about the bignes of her Two hands: & the edges of the lipps of the Child were black: the Nable string was untyde, Butt saw not one drop of Blood about it, ffurther Sayth not.

Joane Wad sayth the uery same, And further addeth, That shee asked her of Child, wth what shee tyed the Nable-string? p. 301 & shee replied wth a thread. But this Depon^t saw noe such thread wherewth it was tyed. And the mother, told this Depon^t that another woman named Susan Barbery, had cutt of a peice of the Nable string because it was to long.

Anne Biggs Jurat idem uerbatim quod Anne Howse ut Suprà.

Thomas Nobs Sayth, That hee first saw the Child, when his Mate brought it to the woman, That the woman uppon demand, acknowledged it to bee her Child, & begotten on her by Joseph Edlow, That his Mate & hee goeing to the next Neighbo^{rs} howse according to promise, uppon the way thither, it was resolved by them th^t hee this Depon^t should returne to the woman, & not leaue her alone in the

howse in that Condiçōn & th^t his mate should goe forward & acquaynt the next neighbo^{rs}, wth it. And Comming back hee fownd the Woman suckling the Child, & after that, undressed it, & washed it. And the Nable string being to long, shee cutt a peice of it of, saying it was soe hard, shee could not boulster it up. And after soe dressing it, shee layd her selfe uppon the Bed, in the next roome wth it, & goeing now & then from his other employm^{ts} to her, hee asked her how shee did? Shee sayd the Child was weake, & thought it would not liue. And a while after shee called this Depon^t, & told him, that the Child was dead. And hee putt his finger to the lipps of the Child, & could not perceauē it breath.

Susan Barbery Sayth, That shee saw a Black place uppon the Belly of the Child, as bigge as one of her hands. And that shee cutt the Nable string because it was to long. That a fortnight afore discoursing wth Anne Barbery about her being wth Child; The sayd Anne sayd, That neyther shee, nor any other woman should see any Child of hers. ffurther sayth not.

And the sayd Anne Barbery acknowledging in open Court, that the Child was a Bastard borne. It is Ordered That the s^d Anne Barbery bee forthwth whipped, uppon the bare back & to haue thirty Lashes gyuen her.

Writt to the Sheriffe ad Exeqd^m, according to Order supradict.

Was called afore the Board M^r Richard Preston, William Allenby, Henry Osborne, Will^m B[erry] & John Day, & accused for enter-
teyning & harbouring [Thomas] Thurston contrary to an Order of
the Councell, Published on the 23th day of July last, & another Order
likewise Published on the 3^d day of August following. And it being
certified & proued th^t noe one of the s^d persons was ignorant, but
had notice of, & knew the fores^d Order of the Councell, & th^t other
Order as afores^d, & of the Penalty therein conteyned, It is therefore
Ordered That Euery one of the fors^d persons respectiue^{ly} pay &
satisfy to the L^d Proprietary of this Prouince ffue hund^d pounds of
Tob, according to that latter Order published as aforesay^d.

Attorney
General v.
Preston et
al.
Vide 3 Md.
Arch. Coun.
364
p. 302
Vid. fol. 280
& fol. 290

The Court adiorned by the Gouverno^r till to morrow morning att
9 o Clock

Mathew Stone Examined Sayth uppon Oath, That about 5 or 6
yeares agoe (as hee supposeth) being wth Cap^t Robert Vaughan, in
his Brother Stones Hall, att S^t Maries. His s^d Brother came in,
being moued & in passion wth William Hewes, spoake to him, &
asked him, why hee went not to grynd att the Mill? And William
Hewes asked him againe, who should pay him for his paynes or
labour? And his s^d Brother bad the s^d Will^m Hewes goe on wth his
labour about the Mill, & hee would see him payd therefore, & further
Sayth not.

Hewes v.
Stone

Jurat Cora^m me Will^m Bretton.

Liber
P. C. R.
Oct. 6 Pnt^e

Thursday 6th Octobr 1659.

Josias ffendall Esq ^r Gour ^r	} M ^r Tho: Gerard	} Co th Nath: Vtye		
Philip Caluert Esq ^r Secr			} D ^r Luke Barber	} M ^r Edw: Lloyd
Cap ^t Will ^m Stone				

Re Samford John Sinkler on the behalfe of William Samford Sayth uppon Oath in open Court, That the s^d Samford came into Virginia a Seruant, & was bownd to serue Coth Thomas Swan (by reason hee was yowng) Seauen yeares, according to the Custome of the Country. That hee came into the Country about Christmas. And th^t hee hath beene nine yeares allready in this Prouince & in Virginia. ffurther sayth not.

Greenwells' Know all men by these p^ents That I Walter Hall of the Prouince
Estate v. of Maryland indebted to John Greenwells Estate Eighteene
Hall
p. 393 hundred of Tob, wth Cask, ffor the paym^t of w^{ch}, I the sayd
Walter Hall doe bind ouer all my stock of Cattle & hogges for the
paym^t of the same. As wittnes my hand Septemb^r the 26th 1659

Walter Hall.

Tested by John † Walton his m^rk Mary X Jackson her m^rk.

Will^m Euans deposeth & Sayth That this Clayme of his on the behalfe of John Greenwell Deceased, is a Reall Debt. Hee (being Ouerseer or ffeoffee in trust) hauing sold a Mayd seruaut to Walter Hall for th^t same somme of Tob, w^{ch} seru^t belonged to the s^d Greenwell.

And thereuppon Walter Hall acknowledgeth this Bill or Conueyance in open Court.

Gillford v.
Comrs. of
Calvert Co.

To the hon^{bte} the Gour^r & Councell &c:

The humble Petⁿ of Mary Gillford Widdow most humbly sheweth That where as att the last Prouinciall Court held in this County, on the 21th of Aprill, yo^r hono^{rs} were pleased to putt a sick Boy to bee kept att yo^r Pet^{rs} howse. W^{ch} Boy tarried there untill the beginning of July following. And then went from mee (blessed be god) in health, yo^r Pet^r taking great care of him during the time hee was att her howse, th^t hee should want for nothing th^t was requisite & fitting, & could prouide for him. Insomuch th^t hee rotted two blanketts & a Bolster of yo^r Pet^{es}.

In Consideraōn of w^{ch}, & for his time of being att yo^r Pet^{rs} howse & for her Care in looking to, & tending him, shee humbly beseecheth yo^r hono^{rs} to Consider, & grant her an Order to be payd in this Country & shee shall euer pray &c:

Ordered th^t this Petⁿ bee sent downe to the County Court in Caluert County, And that the Commis^{rs} of that County, see that the

Pet^r haue satisfaction made her out of th^t County, according to her Liber
Petⁿ. P. C. R.

John Butteris (p^r Attornat Walter Gwest) brought into the Court Butteris v.
his Account for worke, w^{ch} hee did for Cap^t Will^m Lewis in his life Lewis's
time amounting to Two thousand, six hund^d fifty six pownds of Tob. Estate
It is Ordered th^t the s^d Butteris proue his s^d Account in the next
County Court in Charles County, (where hee is resident) or att the
next Court after, & send the same downe in the Secretary's Office,
who in the meane time will take notice of and: And th^t soe
much of the s^d Lewis Estate be stoppt to Butteris, uppon prooue
made as was

Called afore the Board Henry Woolchurch and taxed for har- Attorney
bouring Thomas Thurston contrary to an Order of the Councell General v.
published 23th of July last; & another Order likewise published the 3^d Woolchurch
of August following. p. 304

The dēft denyeth th^t he did harbour the s^d Thurston, since the Vid. fol. 280
publishing of those Orders. & fol. 290

And it not clearely appearing to the Court, th^t the dēft did enter- Vide 3 Md.
taine the s^d Thurston as afores^d. It is therefore Ordered th^t this time Arch. Coun.
he bee acquitted. And th^t if att any time hereafter hee shall harbour 364
or entertaine the s^d Thurston, hee bee fyned fīue hund^d pownds of
Tob, to the L^d Prop^r both for this time, & fīue hund^d pownds of Tob
more, for that time allso, hee shall soe harbour or entertayne him the
s^d Thomas Thurston, as afores^d.

Was called also afore the Board John Halliday, & Charged, for th^t Attorney
being commanded by the Sheriffe to ayde & assist him, in apprehend- General v.
ing of Thomas Thurston, hee absolutely refused & denyed soe to doe. Holliday
And it prouing a Contempt in the s^d Holliday by the Judgm^t of the
whole Board. It is ordered That hee the s^d Holliday (hee hauing
beene once afore whipt att Anarundel for the same fault) bee fyned
fīue hund^d pownds of Tob. to the Lord Prop^r of this Prouince.

Was called afore the Board John Hall, & charged for not Execut- Attorney
ing his Office of Cunstale, wherto hee was sworne: but in contempt General v.
of the Gouvern^t, released Thomas Thurston, then a Prisoner, & com- Hall
mitted to his Charge to secure. It is ordered, (by reason the s^d John
Hall was a publike officer, & his Offence great, Though hee pleaded
ignorance in the ffact) bee fyned One Thowsand pownds of Tob
to the L^d Prop^r for his s^d contempt.

The Gouverno^r (att the instance of M^r Edward Lloyd interceding &
knowing the Condiçōn of the man, who informed; th^t this fact was
not done by him out of any Malice) doth remitt one halfe of the s^d
ffyne of One Thowsand pownds of Tob.

Liber
P. C. R.
Attorney
General v.
Bagby

Was called afore the Board John Bagby & Charged for th^t hee the s^d Bagby being commanded by lawfull authority to make search for Thomas Thurston, as Cunstable, he refused soe to doe, as commanded, saying also That, if hee were Cunstable, hee would doe noe such thing.

p. 305

The s^d John Bagby sayth that hee supposed himselfe free from the Office of Cunstable hauing supplied th^t Office one whole yeare, & th^t the Commis^{rs} Court had nominated Ismaël Wright Cunstable to succeed him in that office, though the s^d Ismaël Wright was not sworne, or had taken the Oath of a Cunstable, And th^t had hee understood himselfe still in th^t office, he should euer, & will obey all lawfull authority whatsoeu^r.

Vppon w^{ch} the s^d John Bagby is dismissed.

Overzee v.
Williams

To the hon^{bte} the Gour^r & Councell &c:

The humble Petⁿ of Symon Ouerzee Sheweth, Whereas John Williams stands indebted to yo^r Pet^r the summe of Three thowsand one hund^d & Twenty pownds of Tob & Cask as by his account appeares, W^{ch} Tob the s^d Williams refuseth to pay.

The premises considered yo^r Pet^r humbly Craues for p^{ent} paym^t of the s^d summe of Tob wth dammages & Costs of suite & he shall pray &c:

The dēft sayth that hee oweth the p^{tf} Two Thowsand six hund^d & Twenty pownds of Tob wth Cask, Three barrells & ffowre bushells of Corne, ffor all w^{ch} hee acknowledgeth Judgm^t to the p^{tf} in open Court.

As to the dēfts Bill of 500^t Tob passed to the p^{tf} for Richard Abrahall, w^{ch} the p^{tf} cannot find att present, It is Ordered th^t the p^{tf} bee left to recouer the same, whenever hee shall produce the s^d Bill.

Chew v.
Peake

These p^{ents} wittnes th^t I George Peake of the Clifts in Caluert County Gentⁿ doe constitute & ordaine my louing ffreind Cap^t Sampson Waring my lawfull Attorney to defend a suite in Law commenced agst mee the s^d Peake by Samuel Chew, And in Case th^t hee the s^d Waring shall see cause, I doe hereby impowre my s^d Attorney to constitute another Attorney or Attorneys under him, And what hee or they shall doe in the premises, I doe hereby ratify & confirme, as wittnes my hand this 3^d of Octobr 1659 George Peake.

In p^{ence} of Thomas Elwes George M Blacketor his marke.

To the hon^{bte} the Gouverno^r & Councell &c:

The humble Petⁿ of Samuel Chew Sheweth That whereas John Par, the Orphane of Rob^t Par deceased, hath bene kept & wronged by George Peake, soe th^t the Child hath runne away seuerall times, & is lately come Pet^{rs} howse for Releife.

Hee therefore in the be[halfe of] the s^d Orphan doth desyre th^t Order may be granted, Th . . . wth his Estate w^{ch} is iustly dew to him may bee putt into yo^r Pet^{rs} hands. W^{ch} is allso the desyre of the Child, yo^r Pet^r being next to kinne to him in these parts, &c:

Liber
P. C. R.
p. 306

To w^{ch} Petⁿ of the p^{ff}, the dēft (by his Attorney Cap^t Sampson Waring) denyeth what is alleaged in the s^d Petⁿ, as first, th^t he wrongeth the s^d Orphan, secondly th^t hee is of noe kinne to the s^d Orphan.

Whereas John Par the Orphan of Rob^t Par Deceased was putt into the possesⁿ & tuition of the dēft by Order of Court. And it appearing by the testimony of diuers Neighbours now actually present in Court, that the dēft treateth the Orphan louingly & well. It is therefore Ordered th^t the dēft reteine, & keepe still the sayd Orphan, and his Estate.

To the hon^{bte} the Gouverno^r & Councill

The humble Petⁿ of Samuel Chew Sheweth, That whereas yo^r Pet^r hath payd 1200^t of Tob & Cask to ffrancis Billingsley for his part of Building Two howses uppon Plum-Poynt where George Peake now dwelleth, & maketh use of the s^d howses & did once promise paym^t of the s^d 1200^t Tob. But neuer denyeth me satisfaction for my Tob soe disbursed for him

Chew v.
Peake

Therefore yo^r Pet^r desyreth an Order for the s^d Tob. it being his iust due.

The p^{ff} not making appeare what hee alleageth agst the dēft in his Petⁿ, The Dēfts Attorney Craueth an nonsuite agst the p^{ff}, W^{ch} was graunted him by the Court, wth Costs of Suite.

To the R^t Hon^{bte} the Gou^r & Councill.

The humble Petⁿ of Daniel Clocker Sheweth, That whereas the Jury (in the Case depending betweene yo^r Pet^r, & M^r Symon Ouerzee the Attorney of M^r Job Chandler) hath fownd yo^r Pet^r yett unsatisfied. Yo^r Pet^r demandeth satisfaction to the ualew of fiue hund^d pownds of Tob & Cask, ffor yo^r Pet^{rs} Wifes Attendance, being in the busiest time of her Dayry. And one hund^d pownds of Tob for the Coffin, according to the usuall rate of the Prouince wth Costs of suite And yo^r Pet^r as in duty bownd shall pray.

Clocker v.
Chandler
(per
Overzee)
Vid. Juries
Verdict fol.
297

Vppon the p^{ffs} Petⁿ for 600^t Tob. It is Ordered th^t the dēft pay unto the p^{ff}. One hogshead of Tob. weighing neate Three hund^d pownds, ouer & aboue Costs of suite.

To the R^t hon^{bte} the Gouverno^r & Councill

The [humble] Petⁿ of Thomas Mitchell Sheweth, That wher[eas there] is a former Order of this worth Board, for the Attatchm^t of 1000^t Tob, yo^r Pet^r is indebted to the Estate of Cap^t Will^m Mitchell

Mitchell v.
Mitchell's
Estate
Vid. fol. 204

Liber
P. C. R.
p. 307 Deceased, W^{ch} was to be payd uppon the deliury of an Indenture of
yo^r Pet^{rs} sonne (w^{ch} the s^d Cap^t Mitchell had for his security) as by a
noate yo^r Pet^r hath from under his owne hand, appeares, Now Cap^t
Cornewaleys hauing procured an Order for the attatching this Tob,
Yo^r Pet^r humbly therefore beseecheth yo^r wor^{ps} to Order That hee
may haue the s^d Indenture (according to Couen^t) deliuered, & the
Tob shall be ready, Or ells th^t yo^r wor^{ps} will please to reuerse the
former Order for Attatching the Tob. & yo^r Pet^r shall as in duty
bownd pray &c :

Vid. fol. 204
ut Suprà Ordered uppon the fores^d Petⁿ, That Cap^t Thomas Cornewalleys
or his Attorney, uppon the paym^t of One Thowsand pownds of Tob
(for w^{ch} formerly hee obteyned Judgm^t) giue the Pet^r security for
deliuering him an Indenture of the sonne of the s^d Pet^r, w^{ch} was
bownd ouer to Cap^t Will^m Mitchel for the s^d Mitchels security of
paying one thowsand pownds of Tob, as the Pet^r hath declared in his
fores^d Petⁿ.

To the hon^{bte} the Leuitent Graff & Councell of Maryland &c :

Sadler v.
Smith The humble Petⁿ of Giles Sadler undersheriffe Sheweth That yo^r
Pet^r had an Attatchm^t to serue to the ualew of 600^t Tob for Walter
Senswerfe uppon the Estate of Alexander fforcesson & yo^r Pet^r
returned the s^d Attatchm^t att a Court held the 10th of May last, Att
w^{ch} Court there passed an Order, th^t yo^r Pet^r should haue the goods
attatched, apprayed by two honest men, & deliuered unto the s^d
Senswerfe, W^{ch} yo^r Pet^r did according to Order. And the goods
attatched were apprayed to the ualew of 550^t of Tob, & deliuered
unto Rich: Smith the Attorney of the s^d Senswerfe, And the s^d
Rich: Smith refuseth to pay the ffees therefore, allthough due by
Act of Assembly, ffor w^{ch} yo^r Pet^r humbly Craueth the Judgm^t of
this hon^{bte} Court, Whither, or noe hee shall haue his ffees allowed by
Act of Assembly? & Allso why an Order shall cutt of the ffees of an
Exequuōn? And allso what shall bee allowed to the Apprayers in
the hund^d? I hope the paynes of an Officer will bee Considered by
yo^r hono^{rs}, & hee shall &c pray &c :

Vppon the Petⁿ of the aboues^d Giles Sadler It is adiudged That hee
being Vndersheriffe Rightly Layd Attatchm^t & Leuyed Exequuōn, &
Ordered that hee haue his ffee payd him therefore, by the s^d Sens-
werfe, or his Attorney imploying him; as is in th^t Case by Act
of Assembly.

p. 308
Will^m This Cause following was sent up from the Clerke of the Court in
Parker v. Caluert County, there held 12th of July 1659, as followeth.

Henry
Mitchell The Coñpl sueth the Dēft in an accōn of ffelony, for stealing away
Grace Molden, his Daughter in Law, who is under age The dēft
denies th^t hee stole her. The s^d Grace confesseth in Court that shee
did goe willingly wth him. att the earnest request of the p^{tf}, & uppon

the Oathes of James Shacklady & Thomas Hobson, It is Ordered by the Court th^t the dēft remaine in the Custody of the Sheriffe untill hee giue in good Security to appeare att the next Prouinciaall Court there to answere unto a penall Statute prouided in th^t behalfe agst the taking away of Orphans from their Guardians. Liber
P. C. R.

James Shacklady aged 21 yeares or thereabouts sworne & examined the 11th of July 1659, Sayth, That hee did take a Desk of Henry Mitchell in the Portch, w^{ch} hee did giue him, & carryed the same Desk downe to the Landing, att the time when they went away, That Henry Mitchell did take Grace Molden by the hand, & lead her downe to the Landing, & putt her into the Boate. And further the s^d Depon^t Sayth That uppon ffriday att night the first of July, Henry Mitchell would then haue carryed Grace away & shee would not, & further Sayth not.

Jurat Cora^m Sampson Waring.

Thomas Hobson aged 26 yeares, sworne & Examined Eod. die. ut Suprà Sayth, That hee did not know any thing of the busines betweene Henry Mitchell & Grace Molden, But sitting in the Porch wth the s^d Grace, & Anne Napken, in the meane time Henry Mitchell & John Barramore did come to them, And when they went away hee this Depon^t went downe to the Landing wth them, And att the Landing Henry Mitchell did take Grace Molden in his armes & putt her into the Boate, & further sayth not.

Jurat Cora Sampson Waring.

Anne Napken aged 25 yeares or thereabouts, sworne & Examined Eod die. Sayth, That shee went downe to the Landing wth Henry Mitchel & Grace Molden, That shee did know before, there was loue betweene them. But Henry Mitchell allwayes told this Depon^t, that hee would not marry Grace Molden, untill such time as her mother did come into the Country, That the s^d Grace was resolved to marry wth the s^d Henry whither shee had her ffathers good will in it, yea or noe. That shee this Depon^t carryed her Box for her out of the Buttery into the Porch, That Henry Mitchell did speake to John Barramore to take the Box wth him downe to the Landing & to the best of her knowledge the s^d Barramore did take the same box downe to

That Henry Mitchell did take Grace Molden downe from the . . . & putt her into the Boate: & caused her Cloathes to be carryed [to the] Landing wth them, & further sayth not.

Jurat

George Jaques aged 37 yeares or thereabouts sworne & Examined Eod. die Sayth, That uppon the first of July 9 or 10 a clock att night Henry Mitchel informed this Depon^t, that there was loue betweene Grace Molden & him the s^d Henry. That hee did tell this Depon^t th^t

p. 309

Liber
P. C. R. hee heard, that the Seruants in the howse were agst it, whereuppon this Depon^t councelled him, not to take her away priuately, in not acquaynted his master wth it; But first acquaint his s^d master, & hauing his good will, hee did not know any of the seruants would bee agst it. Vppon th^t the s^d Henry did take him this Depon^t by the hand, promising him That as hee hoped to bee saued hee would not take her away, wth out first acquaynting this Depon^{ts} master wth it, & had his good will in it. And when the s^d Henry Mitchel did take away the s^d Grace Molden, or att what time of the night; or how her apparell, & lynnens; her Box & her desk; and other things shee tooke wth her were conueyed out of the howse this Depon^t knew not of, And further Sayth not.

Jurat Cora^m Sampson Waring

Will^m Ireland aged 25 yeares or thereabouts sworne & Examined Eod. die Sayth, That hee did know there was loue betweene Henry Mitchell & Grace Molden, That he this Depon^t did speake to the s^d Grace of it, But shee denyed it, That Henry Mitchell acquainted him wth it, & told him th^t hee heard the Seruants of the howse were agst it. And this Depon^t desyred the s^d Henry to tell him, w^{ch} Seruants those were: But the s^d Henry refused to tell him, & further sayth not.

Jurat Cora^m Sampson Waring.

Was called afore the Board Grace the now Wife of Henry Mitchel & Examined. And the s^d Grace confidently declared, th^t Henry Mitchel did not Steale her away (as the Court is informed) But rather more willingly shee went away wth him; then hee did wth her: for that shee was before th^t time resolved to marry him, bearing loue & affection to him, And it not appearing by any of the Depos^{ns} shewen in Court, that the Dēft did steale away his now Wife (Grace Molden) And the p^{lf} not able to make further prooffe thereof, The Dēft craues an nonsuite w^{ch} was graunted him.

The Court adiorned by the Gouverno^r till to morrow att after-noone.

To the hon^{bte} the Gouverno^r & Councell &c:

p. 310
Hammond
v. Dodson

The humble Petⁿ of Anne Hammond Sheweth, Whereas yo^r Pet^r did att the last Prouinciall Court held for this Prouince Recouer an Order for Attatchm^t agst a seruant of Jaruise Dodson. And whereas it was then Ordered th^t if the s^d Dodson did not appeare att this Court, That yo^r Pet^r should be possessed of the s^d Seruant

Yo^r Pet^r therefore humbly craueth Order for the s^d Seruant, & Satisfaction for his last yeares worke, &c:

Liber
P. C. R.
Oct. 7

Josias ffendall Esq ^r	Gou ^r	Cap ^t	Will ^m	Stone	} M ^r Baker Brooke Co th Nathan : Vtye M ^r Edward Lloyd
			M ^r Tho :	Gerard	
			D ^r Luke	Barber	

Hammond
v. Dodson
Vid. fol. 213
Vid. fol. 233
fol. 346

Will^m
Hewes v.
Capt Will^m
Stone

Attorney
General v.
Morgan
p. 311
Vide 3 Md
Arch. Coun.
364

Liber
P. C. R.
Cornwaleys
v. Mitchell's
Admini.

Know all men by these p^ents th^t I Richard Hotchkeys Attorney for Cap^t Thomas Cornwaleys Esq^r doe authorize my louing ffreind M^r John Bateman to take any thing out of the Court tending to one Thowsand pownds of Tob, w^{ch} Cap^t Will^m Mitchel oweth to the fores^d Cornwaleys wittnes my hand this present 5th of Octob^r 1659
Rich: Hotchkeys

Vid. fol. 243 Whereas att a Court held in Caluert County on the 22th of Aprill, The p^{ff} then sued for one Thowsand pownds of Tob, attatched in the hands of John Bateman merch^t, W^{ch} Attatchm^t was then continued, (th^t the Admⁱstrato^r houe notice gyuen him thereof,) & the Cause
Vid. infra respited till next Prouinciall Court, And whereas att this Court
fol. 324 [the] p^{ffs} Attorney being sick & constituting the s^d John Bateman [his] Attorney, But not sending the p^{ffs} Specialty of Cap^t Will^m Mitchel by the Debt may appeare due, & iust, And the s^d M^r Bateman req[uests] th^t eyther the s^d Attatchm^t be taken of or Judgm^t to proceed ther that he is Responsable to other Cred^{rs} to th^t Estate in Virginia.

It is Ordered (the s^d Admⁱstrato^r neyther att this Court, mer, holden as afores^d, appeering by himselfe or Attorney) That bee sent downe to the County Court in St^t [Maries] County; & th^t the p^{ff} [by him]selfe or Attorney makes his appeare due. And passe therein.

p. 312
Hall v.
Pille

This Cause is sent up by the Clerke of the County Court of St^t Maries County as followeth (Viz)

Att a Court held att New Towne 21th June 1659

Pnt ^e D ^r Luke Barber	Cap ^t Will ^m Euans	} Com ^{rs} .
	M ^r Will ^m Barton	
	M ^r Tho: Mathewes	
	M ^r James Langworth	
	M ^r Rich: Banks	

This Cause being referred from the Prouinciall Court, a Jury is impanelled, & ordered to try the Cause, who are as followeth (Viz)

Walter Pakes	Tho: Philips	Rich: Neuett	Tho: Belcher
Will ^m Boreman	Rich: Bennett	Patrick fforrest	John Washington
Will ^m Edwin	John Walton	Will ^m Styles	Tho: Carpenter.

To the hon^{bte} the Gou^r & Councell of the Prouince of Maryland

The humble Petⁿ of Walter Hall Sheweth That whereas yo^r Pet^r hauing Two hogsheds of Tob. att M^r Pilles Tob. howse: & goeing wth Seamen thither to pay them the Tob, M^{rs} Pilles did forwarne the Seamen they should not meddle wth it, & would not lett them carry it away, where now it hath layen this two yeares, to the great dammage of yo^r Pet^r

Wherefore yo^r Pet^r humbly desyres, That yo^r hon^{rs} would grant Liber
him an Order for soe much Tob, wth dammages & Costs of suite & P. C. R.
yo^r Pet^r shall euer pray &c :

Referred to the County Court Will^m Bretton.

The Deposⁿ of John Jarbo aged 40 yeares sworne & examined
in Court Sayth, That M^r Pille bad this Depon^t tell M^r Hall, th^t hee
might dispose of the Tob. if hee would, & further Sayth not.

The Deposⁿ of Rob^t Sheale aged 30 yeares sworne & examined
Sayth in Court, That there were such hogsheads of Tob, att M^r
Pilles Tob. howse w^{ch} went under the notion of M^r Halles Tob, but
whither they were his he knoweth not.

Bridgett Shales aged 35 yeares or thereabouts sworne & examined
the 20th of Aprill Sayth, That being att the howse of M^r Pilles, when
the Seamen came to fetch M^r Halles Tob. Shee heard M^{rs} Pille say,
shee would goe & stop Tob. for they should haue none of it.
Whereuppon (in her sight) Tob howse to them, where they
talked uery lowd & the Sea wthout it, & further sayth not.

Jurat rber.

The Deposⁿ of ffrancis Beckwith aged 18 yeares or thereabouts p. 313
sworne & Examined, Sayth in Court, That being att John Greene-
wells before Easter three yeares agoe, as shee thinketh, The Seamen
came to receiue Tob, w^{ch} M^{rs} Pilles in her husbands name fore-
warned them not to doe. But M^r Hall made answere th^t hee would
haue it, in spight of her husbands teeth, & hers to, & further Sayth
not.

M^{rs} Martha Lewger aged 30 yeares or thereabouts sworne & exam-
ined this 18th of Aprill Sayth, That the Boteswaine of M^r Wrights
ship by name Rob^t Thompson, goeing to M^r Pilles howse to receaue
M^r Halls Tob. the s^d M^{rs} Pilles stopt it in the L^d Protecto^{rs} name,
bidding him touch it att his perill, ffor shee would haue my L^d
Protecto^{rs} war^t for him, if hee did, or words to this purpose, &
further sayth not.

Jurat Cora, Luke Barber.

Walter Hall declareth in open Court, That the Plantaõn was
neyther in M^r Pilles, nor his possesⁿ, but John Greenewells, when his
Tob was stopped by M^{rs} Pilles.

The Juro^{rs} Verdict

Wee find for the p^{lf}, wth Costs of Suite

The Court doth Order the dēft to pay to the p^{lf} Two hogsheads
of Tob. weighing neate six hund^d pounds; wth Court Charges, ells
Execuõn. A true Copie by me

Roger Isham Cler.

Liber
P. C. R.

Hitherto the Proceedings in the County Court.

In the Prouinciall Court as followeth. Whereas M^r John Pille hath made complaynt to mee, That depending in S^t Maries County Court betweene him & Walt[er Hall] of New Towne, there was contrary to Law & Custome a whereof Seuerall were neyther Inhab^{ts} of th^t County & doth therefore desyre That the Judgm^t gyuen ing noe lawfull Jury, may be arrested, & the whole [be] fore the Prouincial Court.

These are therefore in the L^d Prop^{rs} name to [ar]rest the s^d Judgm^t, & to giue not[ice] to the concerning this suite up to the Walter Hall, th^t there taken in the Prouince command yo^u to sum[mon] [re]quyre yo^u, for the answere
p. 314 the contr Court ensuing the date hereof returne this yo^r writt. Gyuen under my hand this 4th of July A^o 1659 To the Sheriffe or his Deputy.
Josias ffendall

To the hon^{bte} the Gouverno^r & Councell &c:

The humble Petⁿ of John Pille Sheweth, That whereas yo^r Pet^r att the last Prouinciall Court held for this Prouince was arrested to the s^d Court by Walter Hall, Att w^{ch} time yo^r Pet^r being imployed as a Juror, in the seruice of the Lord Proprietary, the s^d Walter Hall procured a Reference out of this Court to the County Court, unknowne to yo^r Pet^r & uppon tryall there gott a Judgm^t agst yo^r Pet^r for 600^t of Tob. uppon suspition of stoppage of two hogsheads of Tob, by yo^r Pet^{rs} Wife, W^{ch} supposed stoppage being alleaged by the s^d Walter Hall att the last Prouinciall Court to discount w^{ch} yo^r Pet^r was adiudged noe stoppage uppon the Oath of M^{rs} Hammond. And yo^r Pet^r had an Order graunted for the full summe hee sued for, W^{ch} s^d oath of M^{rs} Hammond, allthough taken in the County Court doth not appeare uppon the Copie of the Records, W^{ch} s^d oath was most pertinent to ouerthrow Walter Halls plea. And the Juro^{rs} hauing it not to consider of, yo^r Pet^r conceiueth was the cause the Verdict was brought agst him. And allso yo^r Pet^r sheweth th^t hee findeth uppon the Copie of M^r Jarboes Oath, That the words Hee knoweth not what Tob. w^{ch} were attested in Court, are not in the Copie of his oath. And yo^r Pet^r further sheweth that Two of the Juro^{rs} w^{ch} were impanelled att th^t County Court, were not Inhabitants wthin this Prouince; & one, nott of the County, And one of the s^d Three suddenly after the Verdict Reported th^t I had a greate deale of wrong. And yo^r Pet^r conceiueth hee hath sufficient Cause of accōn agst him & hee lyuing not in the Prouince hath not opportunity to sue him. And allso conceiueth th^t M^r Halls Euidence doth in noe wayes proue his Petⁿ, & yo^r Pet^r humbly prayeth th^t the Judgm^t att County Court may bee reuoked, & hee may haue a rehearing of the Busines or ells nonsuite, & yo^r Pet^r shall pray &c:

These may Certify all whom it may concerne, That I whose name is underwritten: meeting wth M^r John Wasington at [Ma]tapany, the next day after the last June Court held att New Towne (for S^t Ma[ries County] I enquiryed of the s^d M^r Washington what was done in the busines there [bet]wixt [M]^r Pille & M^r Hall. He answered that the Court referred ^{ch} Jury himselfe was one. That they fownd the & could not All agree, concerning the gyuing couer although himselfe, & Will^m Boreman Jury) did labour much to cause the rest derstanding of the busines, for preuention

Liber
P. C. R.

[pp. 315 to
340 are
lacking]

. . . . Executo^{rs} Adm̄istrato^{rs} or Assignes for euer. In wittnes whereof I haue hereto putt my hands this 6th day of October 1659.

Re Morris
p. 341
October 6,
1659

The marke of

John † Morris

Wittnessed by us Robert Lloyd The marke of Richard + Dod.

These p^{nts} testifyeth That I Giles Tomkins doe assigne & make ouer all my Right & Tytle of this Condiçō herein specified to M^r ffrancis Doughty, him his heyres adm̄istrato^{rs}, Executo^{rs} or assignes for euer. As wittnes my marke this 17th January 1659/60

Re Tomkins
Jan. 17,
1659/60

Giles A Tomkins

marke

Wittnes Will^m Barton Junio^r

Richard R. 2. Smoute
marke.

Bee it knowne unto all men by these p^{nts} th^t Cap^t George Euelin Esq^r doe acknowledge to haue had & receiued of Temperance Jay the sume of One hund^d & Twenty pownd of lawfull money of England, for the w^{ch} money I doe bind my selfe my heyres Executo^{rs} or assignes firmly by these p^{nts} to pay or cause to be payd, unto the s^d M^{rs} Jay in Virginia Twenty pownd Sterl p^r Annu^m, Beginning nine weekes before Michàelmas 1649, W^{ch} Twenty pownd is to bee payd euery yeare during her life, And because money is scarce in Virginia, I doe oblige my selfe to pay unto the s^d M^{rs} Jay, soe much goods, as shee shall like of amounting to the s^d sume of Twenty pownd sterl: & th^t the s^d money or goods bee payd att euery halfe yeares end according to proportion. And if in case the s^d M^{rs} Jay should dye wthin a yeares space, then I the s^d George Euelin doe promise to pay or cause to bee payd Twenty pound sterl, to such person or persons as the s^d M^{rs} Jay shall appoynt mee before her decease, moreouer if in case M^{rs} Temperance Jay should returne into England wth in the space of three yeares after her arryual in Virginia I doe binde my selfe, my heyres, Executo^{rs} or assignes to pay or cause to be payd unto the s^d M^{rs} Jay wth in three months after her arryuall in England the s^d sume of One hund^d & Twenty pownd sterl of lawfull money of England, And in case of non paym^t I the s^d George Euelin doe binde

Re Evelin

Liber ouer to the s^d M^{rs} Jay a Considerable quantity of Land in Greendall
P. C. R. old ffort or Middle Plantaōn amounting to the s^d sume of Twenty
pound sterl p^r Annu^m. In wittnes hereof I haue hereunto sett my
hand & Seale this 11th day of October 1649 George Euelin
Testis Tho: Pott Sam: Cooper John Joyce Sea + le

ffbruary 28^o 1659/60 p. 342
Sheriff's returns
nicholas Gwyther Sheriffe of S^t Maries County Returnes his
writts, war^{ts} summons &c: (All Excuted.) Except John Shirtcliffe X
John Walton. Cap^t Tho: Cornewaleys 2 Accōns X John Shirtcliffe,
& Hen: Spinke Marks Pheypo X Will^m Smoote.

John Coursey Sheriffe of Kent County Returnes his Writts &c:
(All Executed)

Will^m Coursey Sheriffe of Caluert County Ret. Writts &c: (All
Executed) Except Alexander Anderson X Richard Sullock.

Vid. fol. 351 And uppon the Writt of Attatchm^t Pro Augustino Herman X
Maio^r John Billingsley Ret ffue hogsheads of Tob. attatched.

William Empson Vndersheriffe of Charles Ret. Writts &c: (All
Executed) Except, Edward Prescott X Seuerall p^esons (Arthure
Turner only arrested) Robert Lloyd X Daniel Hutt.

John norwood Sheriffe of Anarundel County Ret writts &c: (All
Executed)

Vide 1 Md. Att a Prouinciall Court held att S^t Clements Manno^r in S^t Maries
Arch. Ass. County on Tuesday 28^o ffbruary 1659.
382 Pnt^e

Josias ffendall Esq ^r Gou ^r ,	} Mr Thomas Gerard	} D ^r Luke Barber		
Philip Caluert Esq ^r Sec ^r			} Co th John Price	} Co th Nath: Vtye

Vppon Speciall occasion of the Councell The Court adiorned by
the Gouverno^r till tomorrow morning att 10 o'Clock.

Feb. 29
Jury
impaneled

Wednesday 29^o ffbruary, 1659^o.

Pnt^e as yesterday.

Writt to the Sheriffe to impanell a Jury of 12 men to attend the
Court this day as Juro^{rs}, & giue in Verdict to the Board in those
Causes wherein they shall bee requyred.

Sheriffe Ret his Writt & Warned
fforemaⁿ.

Nicholas Yowng	Rob ^t Cole	Will ^m Smoote	Daniel Clocker
Rob ^t Kedger	Rich: ffoster	Marks Pheypo	Thomas Lomax
Luke Gardner	W Beane	George Mackall,	Edmond Lindsey

M^r Peter Bath this day sworne in open Court to administer Oath,
& faythfully to draw up Depositions, to the best of his understanding,

whereunto hee shall be requyred, Touching the Prouinciall Court in Liber
P. C. R.
this Prouince.

Came afore the Board John Maunsell, & declareth how th^t his Re
Maunsell's
Estate
ffather John Maunsell being lately Deceased, And hee thereby left
Orphane about sixteene or seauenteene yeares of age. Craueth the
Priuiledge of choosing his Guardian, W^{ch} was Graunted him by the
Board.

And the s^d John Maunsell made Choyce of Cap^t Will^m Euans for
his Guardian.

Ordered th^t The s^d Cap^t Will^m Euans take out l^res of Admⁱstra^on,
& giue in a true & perfect Inuentory of the Estate of the s^d John
Maunsell, in behalfe of the Orphane, & an Accompt when euer hee
shall bee therto requyred by the Judge in Testamentary Causes in this
Prouince.

Came afore the Board Thomas Taylor of Patux^t Riuer in Caluert Re
Eltonhead's
Estate
County, & sheweth how th^t his Mother Jane Eltonhead, the Relict
of Will^m Eltonhead Esq^r, being lately Deceased, & hee thereby left
Orphane about the age of sixteene or seauenteene yeares, Craueth
the Priuiledge of choosing his Guardian, W^{ch} was graunted him,
And the s^d Thomas Taylo^r made choyce of M^{rs} Jane Eltonhead.
Ordered th^t the s^d Jane Eltonhead take out L^res of Admⁱstra^on, &
giue in a true & p^efect Inuentory of the Estate of the s^d Jane Elton-
head, in behalfe of the Orphane. And an accompt when euer shee
shall bee thereto requyred by the Judge in Testamentary Causes in
this Prouince

Know all men by these p^ents th^t I John Bateman of Patux^t merch^t Bateman v.
Bagby and
Mills
doe appoynt my louing ffreind M^r Henry Coursey Gent my true &
lawfull Attorney to defend a suite depending in the Prouinciall
Court of Maryland, betwixt mee, & John Bagby & Will^m Mills &
others, wth sufficient power in it, as I my selfe could doe. And what
my s^d Attorney shall doe I doe by these p^ents ratify & confirme as
fully as my selfe could doe and to appoynt Attorney or Attorneys as
hee shall thinke fitt. In wittnes whereof I haue hereunto sett my
hand this 20th ffeb. 1659
John Bateman.
Wittnes Rich: Moore

Whereas att the last Prouinciall Court the p^{lf} arrestd Rob^t Patrick- p. 344
son, John Bagby, Will^m Mills &c: dēfts, then shewing by his Petⁿ,
how th^t the s^d parties haue seated themselues uppon his Manno^r,
purchased of Cap^t Tho: Cornewaleys, And whereas it was att that Vid. fol. 299
Court ordered th^t M^r Rob^t Cleark, & M^r Henry Coursey be sum-
moned to this Court to declare their intention & knowledge concern-
ing the Bownds of th^t Land now in question.

Liber
P. C. R.

The p^{tf} not being p^{ent} in Court, But by his Attorney M^r Henry Coursey who is one of the Wittnesses summoned in this Cause, Ordered that the Cause bee respited till next Prouinciall Court, And further, th^t M^r Rob^t Clearke & M^r Henry Coursey (being lawfully summoned) giue in their Depos^{ns} att this Court, touching the p^{tf}s claime.

Philip
Calvert Esq^r
his L^{ps}
Receiv^r
gräll v.
Cap^t Miles
Cooke
Vid. Order
Attatchm^t
fol. 320

The p^{tf} sheweth how th^t according to his Order & appoyntment from his L^p, hee demanded of the dēft, The Port duties (as is prouided by Order of Assembly) w^{ch} the dēft refused to pay. And thereupon obteyned Order for Attatchm^t.

The dēft sayth th^t hee did not deny the paym^t of the Port Duties, if in Case his L^p requyred them of him, But being his L^{ps} serut, & one of his Admiralls here, hee supposeth himselfe not chargeable wth those Duties. And how that those duties were not demanded of him according to the Act or Order of Assembly.

Will^m Bretton Sayth upon Oath That hee went in Company wth M^r Caluert aboard Cap^t Cooks ship, when hee demanded the Port Duties. And Cap^t Cooke sayd th^t if his L^p requyred them in England, hee would satisfy them. But being pressed by M^r Caluert, whither hee would giue him his Bill of Exchange into England therefore, yea or not, the s^d Cap^t Cooke absolutely refused, & sayd hee would not, f^{urther} sayth not.

Zachary Wade sworne in open Court sayth That hee was on board Cap^t Cookes ship when M^r Caluert was aboard. And uppon motion of M^r Caluert touching Port Duties, Cap^t Cooke sayd That if his L^p requyred it in England hee would pay it, But hee would not giue Bond for it here, & further sayth not.

The Gouverno^r requyreth the Councell to deliuer their Judgm^{ts} seuerally whither Cap^t Cooks answere were ssufficient yea or noe.

Coth Vtye. Powder & shott ought to haue bene demanded according to the Act, & payd by him: & That his answere was sufficient & the sloop not iustly attached.

M^r Baker Brooke the same.

D^r Luke Barber the same.

M^r Thomas Gerard. That the Sloop ought not to be condemned or attatched.

Coth John Price. Answere not sufficient: & the sloop iustly attatcht.

p. 345 M^r Rob^t Clearke. That the Attatchm^t of the Sloop was iust, in th^t Cap^t Cooke complied not: nor payd those duties eyther in this County or in England.

Gouverno^r. That Cap^t Cookes answere was not sufficient, although the Port Duties were to bee payd in money & his L^{ps} Receiuer demand it.

Know all men by these p^ents th^t I Anne Tilney of the Crosse in the Prouince of Maryland, & Executrix of Richard Hotchkeyes of the same place deceased, haue constituted appoynted & ordayned, & doe by these p^ents constitute, appoynt & ordaine John Abington of the place afores^d my true & lawfull Attorney, for mee & in my name, & to my only use, to aske, demand & receiue all debts, dues & demands whatsoever now belonging to me the s^d Anne Tillney, & uppon non paym^t to impleade or imprisone any p^eson or p^esons, as my s^d Attorney shall see cause, & uppon paym^t made to release acquitt or discharge any p^eson or p^esons as afores^d, as allsoe to pay all iust debts due from mee, or the afores^d Richard Hotchkeys: & whatsoever my s^d Attorney shall doe in the afores^d premises I bind my selfe to ratify & confirme in as ample manner, & wth as much power as all Attorneys hath or ought to haue, as Wittnes my hand this 12th day of Nouemb^r 1659

Liber
P. C. R.
Anne
Hammond
v. Anne
Tilney

Anne Tillney

Wittnesse Thomas Mathews Hest. Mathews.

The p^{tf} sheweth by her Petⁿ, how th^t shee sould unto M^r Richard Hotchkeys her Plantaōn in Brettons Bay for 5500^t Tob, to bee payd by him the s^d Hotchkeys att one entire paym^t, Couenancing wth all th^t the s^d Hotchkeys should ship, or carry on board the s^d Tob for her use, w^{ch} the s^d Hotchkeys did not, & further shee alleageth, th^t shee hath not yett receiued satisfaction for her s^d Plantaōn, One hogshede of Tob being only discounted for her use, towards the paym^t thereof, w^{ch} shee doth allow, & noe more. The dēft, by her Attorney, sayth, th^t M^r Hotchkeys (as may appeare by his Booke of Accompts) hath payd the greatest part of th^t Debt, & that there remains unpayd not aboue Two hogsheds of Tob, or thereabouts w^{ch} the dēft is ready to satisfy.

Cap^t Will^m Euans sworne in open Court Sayth, That by discourse wth D^r Wade, M^r Hotchkeys, & M^{rs} [H]ammond, he understood there was a Contract, or bargaine made (as he thinks) for 5500^t Tob. for her Plantaōn & a Bill was passed for the s^d plantaōn, & gyuen in D^r Wades name: And th^t M^{rs} Hammond intrusted M^r Hotchkeys to receiue the Tob. Whereuppon D^r Wade called her foole for intrusting him to receiue his owne Tob. Hotchkeys himselfe being then present. And further th^t M^{rs} Hammond gaue D^r Wade order to deliuer in the Bill to Hotchkeys, then when shee imposed her trust in him, Because there was a Rumour in the Country that shee intended thereby to defray or cheate her Credito^{rs}.

Edmund Nanfan deposed sayth That there was an absolute bargaine concerning the plantaōn, & M^r Hotchkeys promised her honest pay for it, & not to fayle her in her Tob, And M^{rs} Hammond sayd shee would trust to his honesty.

Ordered th^t this Cause be respited till next Prouinciall Court.

Liber
P. C. R.
Hammond
v. Dodson
Vid. fol. 151
fol. 213
fol. 233
fol. 310

To the hon^{bte} the Gouverno^r & Councel &c

The humble Petⁿ of Anne Hammond Sheweth That by order & Justice yo^r Pet^r attatched a Seruant of Jaruise Dodsons for a Debt owing to yo^r Pet^r from the s^d Dodson, & obteyned thereuppon Order, for the deliuary & possesⁿ of the s^d seruant. Now soe it is That this suite long depending in this Court, The seruant soe attatched lyued all the time wth the sheriffe, & in his Custody, doeing him labour amongst the rest of the s^d Sheriffs seruants, & being sett on worke by him. Whereuppon shee conceiueth her selfe freed from the ffee of th^t Attatchm^t, when as the sheriffe conuerted the seruants labour to his owne use, gyuing yo^r Pet^r noe accompt thereof.

Shee humbly therefore prayeth, for the reason alleaged, th^t shee haue the Seruant ffree of all the sheriffs charge for ffees, as in Equity shee conceiueth iust, & shee shall pray &c: It is Ordered that the Pet^r enioy the s^d seruant according to former Order of this Court. And the Sheriffe remitteth his ffee of Attatchm^t, & the Pet^r dispose of her s^d seruant to her best benefitt, as shee pleaseth

Reade v.
Reade

Whereas John Reade p^{lf}, hath commenced suite agst George Reade de^{ft}, Concerning a certaine peice or parcell of grownd adioyn- ing to both their plantaōns in Patux^t Riuer, To w^{ch} Land both parties lay claime therto; The Controuersy arrysing through the marking of Certaine Trees: Insomuch th^t the difference cannot bee determined att this Court. It is therefore Ordered th^t the Cause bee Respited till next Prouinciall Court, And th^t both p^{ties} bring their Euidences thither, & their Respective Leases, & all other writings, concerning their Lands or plantaōns they now liue on: To the end this difference may more clearly appeare to the & haue itt^s finall determi- naōn.

To the hon^{bte} the Gouverno^r & Councell of Maryland

p. 346
Clarke v.
Hawley's
Estate

The humble Petⁿ of Robert Clarke Esq^r Sheweth, That whereas yo^r Pet^r did suruey by warr^t for Cap^t Will^m Hawley ffiue thowsand six hund^d Acres of Land. The ffee whereof amounted to six hund^d pownds of Tob, W^{ch} Tob. yo^r Pet^r demanded of Cap^t Nicholas Gwyther Executo^r of the s^d Hawley, Who doth not deny to pay the same: But sayth hee cannot doe it, wth out Order of this hon^{bte} Court.

Yo^r Pet^r therefore most humbly desyres yo^r hon^{rs} Order requyring the s^d Cap^t Gwyther to pay yo^r Pet^r his s^d Tob, W^{ch} graunted yo^r Pet^r will pray &c:

It is Ordered uppon this Petⁿ th^t Cap^t Nicholas Gwyther (being p^{ent} in Court, & alleging nothing agst the Pet^r, but acknowledging the iustnes of the demand) make paym^t of Six hund^d pownds of Tob, to M^r Rob^t Clarke for his ffee of Suruey: The s^d Gwyther being Executor or Admistrato^r of the fores^d Cap^t Hawleys Estate, & now enioyeth & possesseth the s^d Land soe surueyed

Know all men by these p^ents that I Vincent Atchison of the Prou-
 ince of Maryland, doe constitute & appoynt my louing ffreind M^r John Metcalfe of the same Prouince my true & lawfull Attorney in
 all causes for this Prouinciall Court, wherein I shall bee eyther p^f or dēft, And what my s^d Attorney shall doe herein I doe ratify &
 allow, as wittnes my hand this 24th of ffeb. 1659

Wittnes Thomas Haruey.

Vincent Atcheson

Liber
 P. C. R.
 Smith v.
 Atchison

To the hon^{bte} the Gouverno^r & Councell &c:

The humble Petⁿ of Emperour Smith Churgeon Sheweth That
 Vincent Atchison of this Prouince Plant^r oweth unto yo^r Pet^r seauen
 hund^d pownds of Tob. to be payd att a day long since past, W^{ch} the
 s^d Atchison hath not yett payd to yo^r Pet^r dammage of One Thowsand
 pownds of Tob. Yo^r Pet^r therefore most humbly desyres the s^d
 Vincent Atchison may be imēdiately requyred to pay yo^r Pet^r his s^d
 Tob, with what dammages hee hath susteyned & yo^r Pet^r shall pray
 &c.

The p^f producing & shewing in Court the dēfts Bill or Specialty
 for 700^t Tob. payable unto him, on the 20th of Nouemb^r last, W^{ch} is
 not yett payed by the dēft, to the p^fs much dammage, as is alleaged
 by him.

The dēfts Attorney requesteth that the cause may bee Respited,
 But the Court thinke it not fitt to delay the p^f thereby, when as a
 positue Bill is produced by him, And the dēfts Attorney p^ent in
 Court, not able to declare the contrary, But that this Bill produced
 is a iust Bill, and signed by the dēft himselfe.

It is therefore Ordered that the p^f haue Judgm^t according to his
 Bill or Specialty, And th^t the dēft pay or satisfy forthwth to the p^f,
 Seauen hund^d pownds of Tob & Cask, according to Act of Assembly
 (as is specified in the s^d Bill) wth Costs of suite, Else Execuōn.

The p^f euidenth to the Court, That hee intrusted Cap^t Richard
 Hotchkeys to receiue certaine Tobaccos for his use, And allso deli-
 uered unto him Certaine Bills W^{ch} the s^d Hotchkeys engaged under his
 hand to bee accountable for to the p^f when demanded. As appear-
 eth by a writing to th^t effect signed by the s^d Rich: Hotchkeyes dat
 25th of May 1658 & witnessed by Hen: Peyton. The s^d Hotchkeys
 being now dead, the p^f bringeth his accōn agst the Admīstratrix of
 the s^d Hotchkeyes, being possessed wth his Estate

Joseph
 Edmonds v.
 Anne Tillney
 p^r Attor Jnō
 Abington

The Receipts produced in Court of Tob belonging to the p^f, &
 conuerted by M^r Hotchkeys to his owne use the last yeare, 1 Receipt
 dat 16th March 1658, Eleauen hund^d & Eleauen pownds of Tob.
 neate Receiued by Henry Coursey.

1 other Receipt dat 2^d May 1658. Seauen hund^d ffowrty ffowre
 pownds of Tob neate. Receiued by Will^m Coursey.

Liber
P. C. R. This Bills are (as appeareth by the Copies) Three, W^{ch} the s^d M^r
Hotchkeys engaged to the accountable for, as afores^d.

Henry Bullens Bill for	2400 ^t
Thomas Longe for	1300
John Lodmore for	0650
	<hr/>
	4350
	<hr/>

The Judgm^t of the whole Board is th^t the Adm̃istratrix repay back the Tob allready receaued, and allso the forementioned Bills, or the Tob specifiyed therein. And soe Ordered accordingly.

Brooke v.
Utye Whereas ffrancis Brooke hath petitioned this Court in behalfe of his Brother Thomas Brooke, Shewing th^t both hee & his s^d Brother came into this Prouince fowre yeares since, being both bownd by Indenture to serue M^r Hen: Corbin fowre yeares apeice, And whereas the s^d M^r Corbin sold both him & his Brother to Co^h Nath: Vtye, wth whom they lyued one whole yeare, And then the s^d Co^h sold them both againe to M^r Joseph Wicks for ffowre yeares to exspyre being a yeare apeice more then they couenanted for wth their first Master, Soe th^t hauing serued the s^d M^r Wicks three yeares, they both demanded their ffreedome. In the interim (they being att the neighbo^{rs} howses) M^r Wicks goeing to the Co^h, & certifying him, how th^t both those seruants, hee bought of him for the time afores^d, claymed their ffreedome. The s^d Co^h directing his war^t to the Constable forced the Pet^{rs} Brother Thomas Brooke to returne againe to his fores^d Master, M^r Joseph Wicks, & there to remaine & serue him Two yeares longer, then the s^d Thomas first couenanted for (whereuppon hee conceiueth. . . .) And wth all setting the Pet^r ffrancis Brookes free.

p. 349 It is Ordered th^t this Cause be respited till next Prouinciall Court And th^t Co^h Nath: Vtye, by th^t time produce the Seruants Indenture, or proue by other sufficient Testimony th^t the s^d Thomas hath soe long time to serue, as hee sold him for, & now claymeth, (W^{ch} hee assumeth to doe) And it is further Ordered th^t the s^d Thomas Brooke in the meane time, remaine wth his fores^d master, & performe his labour: Who is to bee allowed & satisfied for his s^d labour & seruice; in case hee shall then bee adiudged ffree by the Board.

To the ho^{bte} the Gouverno^r & Councill &c:

Thomas v.
Cole's
Estate The humble Petⁿ of Anne Thomas Widow &c: Sheweth That whereas Thomas Cole of this Prouince late deceased did att his death stand indebted to yo^r Pet^{rs} husband, the sume of 2970^t Tob, And the s^d Coles Estate falling to his L^p of this Prouince, shee humbly beseecheth yo^r hon^{rs} to grant her an Order for the s^d Debt,

to be satisfied out of the Estate of the s^d Thomas Cole, shee being left alone wth Two small Children, & in a poore condicōn for want of that Tob: By reason of the urgent desyres of her Cred^{rs} to be satisfied. Shee humbly beseecheth yo^r hon^{rs} to take the premises into yo^r consideraōns, & grant her, her iust due, as by euidence shee can make appeare. And shee shall as in duty bownd pray &c: Liber
P. C. R.

Thomas Cole Deb^r to Daudid Thomas Deceased

In Octob ^r 1658	
ffor One flitch & a halfe of Bacon, & a hog to Victuall his Shallop	} 0290
1659	
ffor Cyder hee had of Joseph Harrison	0050
ffor Two summers Dyett	1200
ffor Two barrells of Corne for his Cattle	0150
Payd to Cap ^t Gwyther for Humphrey Attwicks	0015
ffor last yeares Leauy	0040
ffor his Washing Two Summers	0200
Payd M ^r Hutt for him	0381
Payd for Two Warr ^{ts} for Land th ^t hee tooke out	0062
	—
ffor his ffunerall Charges (Viz)	2388
	—
ffor a hogg	0150
ffor Drams	0100
ffor a Boate & hands to take him up, & bearing him	0150
The Clearks ffees for 2 depos ^{ns} &c:	0062
ffor Two men goeing to take their Oathes 2 dayes apeice att 30 ^t Tob p ^r day	} 0120
	—
	0582

Mathias O Bryant sworne & Examined sayth, That for the two precedent Summers Thomas Cole dyetted att the howse of Daudid Thomas lately deceased And th^t the s^d Cole called the s^d Daudid Thomas his howse, his home, & further sayth not. p. 350

Jurat Cora^m me Henry Adams.

Mathias J O Bryan
his marke

George Howse sworne & Examined sayth, Jurat idem ut suprà, & further. That when the s^d Cole went once wth his shallop from home, the s^d Daudid Thomas neglected his owne busines, & went into the woods to prouide the s^d Cole meate to uictuall his s^d shallop, for th^t Voyage, & further sayth not.

Jurat Cora me Henry Adams

George H Hows
his marke

Liber P. C. R. Thomas Alanson sworne & examined the 29th ffeb. 1659 Sayth, That about the last of Nouemb^r, or the beginning of Decemb^r, last past, this Depon^t heard Richard Bott say, That a hogshead of Tob, w^{ch} hee was to receiue for M^r Hutts use, was for the use of Thomas Cole deceased, ffor w^{ch} Daudid Thomas stood engaged for the s^d Thomas Cole, for a hogshead of Tob. unto the s^d Hutt, And further sayth that hee this Depon^t saw the hogshead of Tob, payd to the s^d Richard Bott, for the use of the s^d Cole to Hutt.

Jurt &c: Cora^m me Peter Bath.

Vppon the Petⁿ afores^d of Anne Thomas the Relict of Daudid Thomas deceased, And the Bill of Charges thereunto annexed. The Court putt the same to a Jury, to consider of the Accòmpt there charged amounting to 2970^t Tob, Who giue in their Report, or Verdict as followeth, (Viz) Concerning the Debt of Thomas Cole to Daudid Thomas. Its thought fitt to allow her.

ffor 2 summers dyett	1200
ffor his washing 2 summers	0200
ffor 1 hh ^d of Tob payd M ^r Hutt	0381
ffor the funerall Charges, & the rest of the expences since his Death, provided shee make Oath to it	0582
	<hr/> 2363 <hr/>

W^{ch} summe Wee find some Euidence for, And for the Remainder of her Acc^t wee hold allso fitt to be satisfied, Provided shee can eyther att present or hereafter make it, or any of it by euidence appeare to be her iust due.

Ordered by the Board according to the Verdict.

The Court adiorned by the Gouverno^r till tomorrow att 10 à Clock & to be holden att M^r Rob^t Slyes howse in the same Manno^r.

Thursday 1^o March 1659

Att M^r Robert Slyes howse

All present as yesterday.

March 1
p. 351
John Hatch
v. Rob^t
Cleark
The p^{tf} producing in Court the dēfts Bill for Eight hund^d & fifty pownds of Tob & Cask, due unto him these 2 yeares last past, demands Judgm^t agst the dēft for the same. And the dēft confesseth Judgm^t to the p^{tf}, for Eight hund^d & fifty pownds of Tob & cask, according to his s^d Bill, gyuen up in Court.

Exeqⁿ issued to the sheriffe of S^t Maries County Eod. die, agst the Estate of the dēft for th^t summe.

To the hon^{bte} the Governo^r & Councill &c:

The humble Petⁿ of Augustine Herrman Sheweth That yo^r Pet^r layd an Attatchm^t uppon the Estate of Maior John Billingsley att the Cliffts for the sume & ualew of fve thowsand powns of good merch^{bte} Tob & cask, due unto yo^r Pet^r by specialty euer since p^o Septemb^r 1657, And whereas the s^d Maior John Billingsley hath Ordered M^r Tho: Manning by a speciall assignm^t for the satisfaction of yo^r humble Pet^r. Hee therefore craues an Order of Court, th^t paym^t forthwth may bee made him, & hee noe longer delayed, wth Court Charges & forbearance. And he shall pray &c:

Liber
P. C. R.
Herman v.
Billingsley's
Estate

Vppon the fores^d Petⁿ of Augustine Herman agst the Estate of Maio^r John Billingsley, The s^d Billingsley being since deceased, & the Tob attatched like to bee lost, for th^t noe one yett hath taken out lr^{es} of Adm̄istraōn, & uppon delay in danger to be spoyled: There being fve hogsheads of Tob Returned by the sheriffe Attatched on that writt, The Attatchm^t being in nature of an arrest, And the s^d Billingsley confessing and writing to M^r Tho: Manning, how th^t hee is indebted to the s^d Augustine, & willing him to come to agreem^t wth him, & pay him such Tob, as was due w^{ch} the s^d Billingsley acknowledged to bee about three thowsand powns of Tob, (as the s^d M^r Manning deliuered in Court) Vid. fol. 342

The Judgm^t of the Court is, And soe Ordered, That the s^d Augustine Herman take those ffue hogsheads of Tob allready attatched by the sheriffe, Hee gyuing in security to bee accomptable to the Adm̄istrato^r of the s^d Billingsley Estate, when euer hee shall bee called thereto; & Returne the same, if in Case, it proue not due to him the s^d Augustine

Augustine Herman demands Attatchm^t agst the Estate of Maio^r John Billingsley for 3000^t Tob, There being due to him as he alleageth 2537.

Writt to the Sheriffe of Caluert County to Attatch &c: Ret next Prouinciall Court to be holden.

The p^{lf} sheweth to the Board, That hee made an agreem^t wth M^r Harrise, the dēfts Wifes former husband, to serue & supply the s^d Harrise, & his family wth physick, & other medicines touching his practice from March till August following, hee paying him therefore one Thowsand powns of Tob, And auerreth uppon Oath in Court, th^t hee neuer yett receiued any satisfaction therefore, & thereuppon brings in his accompt for physick &c: amounting to sixteene hund^d & thirty powns of Tob.

Dr Luke
Barber v.
Mr Henry
Coursey
p. 352

To w^{ch} the dēft, sayth, th^t the p^{lf} complied not according to th^t his agreem^t & further th^t the p^{lf} passed his Bill for goods bought of his Wife, since th^t claime was due from M^r Harrise, & therefore conceiueth th^t debt to haue bene discharged & payd

Liber The Cause is putt to a Jury
P. C. R. The Juro^{rs} Returned by the Sheriffe for this day are
fforemaⁿ

Mr Thomas Manning,	Mr John Ashcomb,	Rob ^t Kedger,
Mr Hugh Stanley,	Mr Walter Hall,	Will ^m Whittle
Mr Luke Gardiner,	Mr Rob ^t Cole	Mr John Abington
Mr James Lindsey,	Mr Tho : Lomax,	George Mackall.

And the Juro^{rs} brought in their Verdict (Noe Cause of accōn)

Le Compte Anthoyne lè Compte Petitioneth the Board agst Mr John Ash-
v. Ashcombe combe, shewing therein how th^t the s^d Ashcombe hath trespassed, &
still persisteth soe to doe uppon his Lands surueyed & pattented by
him, to the dammage of One Thowsand pownds of Tob. & therefore
craue^t Order agst the s^d Ashcomb for the s^d dammage susteyned
through such wrongfull trespasse.

To which the dēft sayth, th^t the p^{tf} susteyneth noe dammage by
his meanes neyther encroacheth hee uppon his bownds.

And the p^{tf} not able to proue what hee alleageth in his s^d Petⁿ, The
dēft Craues a nonsuite, W^{ch} was graunted by the Board.

To the hon^{bte} the Gouverno^r & Councell &c:

Rock per The humble Petⁿ of Richard More Humbly Sheweth That Cap^t
Attorn. Will^m Battin is indebted unto yo^r Pet^r fifty pownds sterl, as by his
More v. specialty may appeare. May it therefore please this hon^{bte} Court
Battin to graunt order for paym^t of the s^d Debt togeather wth forbearance &
Court Charges And yo^r Pet^r shall pray &c:

This wittnesseth th^t I Will^m Battin of Virginia Merch^t doe
acknowledge my selfe to stand indebted unto Joseph Rock of Boston
shopkeeper in New-England, the iust sūme of Twenty fīue pownds
sterling. The w^{ch} s^d Sūme I promise to pay out of the produce of a
parcell of Tob, w^{ch} I engage to send in one of the first ships bownd
for London, & to consign it unto Ninion Butcher Merch^t in Adly
Streete, for the paym^t of the Sūme aboue for the proper use of the
p. 353 s^d Rock. And it is further agreed that the s^d Rock is to runne the
Resgo of the Sea, the Tob being rated att 3^d ½ p^t & the s^d Battin to
stand to the markett, Likewise I the s^d Battin doe engage my selfe to
send to the s^d Rock a Bill of Lading under the Masters hand, uppon
whom the Tob is shipt, by the first opportunity unto the s^d Rock in
Boston. And for the true p^eformance of the same I bind my selfe,
Executo^{rs}, & Assignes in the dowble ualew, for the true p^eformance
of the aboue named Sūme. In wittnes hereof I haue hereunto putt
my hand this 27th day of this p^ent Septemb^r 1654.

Wittnes Jeremiah Murells Josiah Robinson.

Signe
Will^m I X B Battin

To the demand of the p^lf for 50^l Sterl. The dēft sayth That hee Liber
P. C. R. shipped ffiue hogsheads of Tob, in the Ship Crescent Cap^t Thorowgood Master, as hee was Ordered by direction from the p^lf, And therefore conceiueth th^t th^t Debt is allready satisfyed by him unto the p^lf, it being only 25^l Sterl.

W^{ch} the p^lf denyeth & thereuppon produceth M^r Ninion Butchers Irē to M^r Joseph Rock, & the Accompt of Deb^r & Cred^{rs} concerning this Tob.

Whereuppon the Gouverno^r appoynted M^r Robert Slye, M^r Nicholas Spencer, M^r Edward Prescott & M^r Augustine Herman to consider of the Accounts, & Bargaine, & make report thereof to the Board.

Who uppon consideraōn make their Report as followeth. In Obedience & compliance to the Commands of this hon^{bte} Court, to Report the State of Accounts betwene Joseph Rock of New England, and Will^m Battin of this Prouince.

Will^m Battin to pay Joseph Rock 25^l for goods bought in New England to bee payd in the proceed of Tob to be Shipt aboard for London to bee rated att 3^d ½ p^r ft Being the positue words of the Condi^cōn wth out further explayning, being what Tob Shipt aboard is worth for New England goods, or goods att New England prizes.

M^r Battin an illiterate man, & the Condi^cōn written by M^r Rock, thus, That hee the s^d Rock to runne the Resgo of the Seas: M^r Battin to stand to the markett, M^r Battin offereth to depose that his uerbal agreem^t was, That if the Tob should produce more then the s^d 3^d ½, the s^d ouerplus was by the s^d M^r Rock to bee allowed him: & th^t the Certaine price of the Tob. to M^r Rock should bee 3^d ½ Shipt aboard. Now the Tob. being woafully damaged when it came out of the Ship, as M^r Butchers letters declare, & M^r Rock being to runne the Resgo of the Seas The Consideraōn arryseth from that, Whither or noe ffiue hogsheads of principall Tob might not haue payd 25^l had not the Resgo of the Sea woafully damnified it, The Ship prouing uery leaky?

On M^r Rocks behalfe it is alleaged that but Three hund^d & odde p. 354 pounds of Tob were damnified. The Court can Judge whither or noe soe much dammage in the s^d hogshead, bee not the cause of the inualid price of the rest, of the Tob. Nothing appearing to the Contrary but th^t the 3^d ½ in the condi^cōn is the price of the Tob. & soe much being Shipt, as payeth the 25^l att the s^d price wth in 6 or 7 Shillings. And Bills of Lading being taken according to M^r Rocks order, & according to the Obligaōn.

Cap^t Battin alleageth the paym^t to bee according to Condi^cōn & nothing appearing to the Contrary, by w^{ch} any thing can be otherwise decided, & moreouer otherwise beside this price M^r Battin can neuer certainly know an end of his paym^t. Moreouer Cap^t Battin is ready

Liber to depose, th^t hee hath bene allready prosecuted in this busines by
P. C. R. one Robert Gray in behalfe of M^r Rock, & uppon discussing of the
busines, the s^d Rob^t Gray did declyne the s^d prosecuōn, Declaring
that if hee did proceed, th^t it would bee to M^r Battins wronge, & soe
desisted, And by reason that there is a dowble interpretaōn, concern-
ing standing to the markett, & only by inference & consequence Wee
conceiue not by Law but by Equity to bee decided. Wittnes Our
hands Edward Prescott Augustine Herrman.

To the hon^{bte} the Gouverno^r & Councell.

Whereas Cap^t Battin is bound by his specialty to pay 25[†] Sterl to
M^r Rock, I doe understand the Busines thus, & this is my Opinion.
That Cap^t Battin ought to haue Shipped soe much Tob, as would
haue produced 25[†] Sterl, the Debt mentioned according to the teno^r
& expresse words of his Bill.

And whereas there is 3^d ½ p^r f. mentioned for the prize of the Tob,
that Cap^t Battin was to Ship in the Country, I understand, th^t hee
was to be allowed soe much p^r f. in case the Tob were eyther lost, or
damnified att Sea, & not otherwise. The Bill expressing in these
uery words, That Cap^t Battin shall stand to the markett, And this I
signify, being chosen as an Arbitrato^r in the s^d busines depending
betwixt M^r Rock & Cap^t Battin, as Wittnes my hand ffeb. 29th 1659
Rob^t Slye Nich: Spencer.

The s^d Reports being Read, & the Accompts perused, The Judgm^t
of the Board is That the dēft ought to be allowed for th^t 350[†] Tob
charged damnified in the p^{ffs} Accompt, from the p^{ff}, att 3^d ½ p^r f.
Vid. fol. 363 And for th^t other money allso acknowledged payd in the s^d accompt,
Both w^{ch} amount to 9[†], 12^s, 3^d. Soe th^t there Remaines of the Ac-
compt to ballance 15[†], 7^s, 9^d. It is therefore Ordered that the dēft
satisfy or pay unto the p^{ff} the s^d summe of ffiueteene pownds, seauen
shillings, nine pence sterling: or goods to th^t ualue.

John Collins Know all men by these p^{ents} th^t I Elizabeth Potter Widow doe
v. Elizabeth constitute & appoynt my louing ffreind John Metcalfe of the prou-
Potter ince of Maryland gentⁿ my true & lawfull Attorney, in all causes
p. 355 wherein I shall bee eyther p^{ff} or dēft for this p^{ent} Prouinciall Court.
And what my s^d Attorney herein, I doe ratify & allow, as wittnes my
hand this 23th of ffeb. 1659 The mark of
Wittnes Nicholas Gwyther Marks Pheypo. Elizabeth A Potter

The p^{ff} informeth the Board, how th^t hee receiued and marked a
hogshead of Tob for his owne use, w^{ch} was payed him by the dēft
for goods bought of him. But since the dēft hath otherways disposed
of the same hogshead againe, after it was brought on board, to the
Captaine or Master of the Ship.

Cap^t Miles Cooke sayth uppon oath in open Court, th^t Elizabeth
Potter came to this Depon^t, & agreed wth him for a ffeatherbed: &

was to pay him for it, 400^t Tob, & a hogge. And did after come againe, & Ordered him to deliuer soe much goods to Zachary Wade, for the use of Thomas Allen, as came to 268^t Tob, w^{ch} hee did. But this Depon^t hearing a Rumour in the Ship, concerning a hogshead of Tob, not of his marke, w^{ch} came from Elizabeth Potters (There being allso one other hogshead brought from thence att the same time) caused it to bee sett apart. After the s^d Elizabeth came againe on board, & saw the weight of the Two hogsheads, & thereuppon came to a Ballance wth this Depon^t, And soe hee receiued both those Two hogsheads, as his owne, & caused that hogshead afore sett by, to bee stowed away.

Liber
P. C. R.

The Judgm^t of the Board is, That the dēft haue Judgm^t agst the p^{tf} for a hogshead of Tob. And th^t Cap^t Cooke (who hath this hogshead of Tob, in dispute, w^{ch} came on board markt wth the p^{tf}s marke) restore th^t hogshead againe to the p^{tf}. And th^t Cap^t Cooke haue this Judgm^t of Court assigned him ouer by the p^{tf}, whereby to recouer his due agst the dēft. And soe ordered accordingly.

And the p^{tf} doth thereuppon assigne ouer this Judgm^t to Cap^t Miles Cooke, in open Court. Exeqⁿ issued imediate to the Sheriffe of S^t Maries County agst the dēfts Estate for 400^t Tob.

Vppon the demand of the p^{tf} for Twelue hund^d pownds of Tob & Caske, according as is specified in the dēfts Bill, produced in Court.

Cap^t Miles
Cooke v.
Rich: ffoster

The dēft acknowledgeth his s^d Bill, & confesseth Judgm^t unto the p^{tf} for the s^d Summe of Twelue hund^d pownds of Tob & cask, according to his Bill.

Vppon the demand of the p^{tf} agst the dēft, for One Thowsand seauen hund^d, sixty one pownds of Tob. & Cask due by Bill The dēft acknowledgeth the Debt, & Confesseth Judgm^t to the P^{tf} for One Thowsand seauen hund^d, sixty, one pownds of Tob & cask, according to his s^d Bill

Cap^t Miles
Cooke v.
Humphrey
Attwicks
Vid. fol. 363

Vppon the demand of the p^{tf} for 2000^t Tob. due by Bill, unto the Estate of Beniamin Gill deceased, the p^{tf} being Adm^{istrato}r to that Estate. The dēft sayth th^t hee satisfied the last yeare 819^t Tob. of that Debt.

William
Bretton p^{tf}.
Edmund
Lindsey
deft.

And further allegeth th^t hee is wrongfully sued, by the p^{tf}, hee taking out Writt not as Adm^{istrato}r, but in his owne name, & therefore came not prouided to answere to th^t claime. And desyreth th^t it bee referred to a Jury, w^{ch} was graunted. All the former Jury (Except Daniel Clocker, loco M^r John Ashcomb) The Judgm^t of the Board is, That an Adm^{istrato}r may sue in his owne name. And the Juray hauing Considered, Returne their Verdict. Wee ffind for the p^{tf} the Remainder of the Bill (Viz) Eleauen hund^d Eighty one pownds of Tob. & Cask.

Liber
P. C. R.
Stanley v.
Tilghman

To the hon^{bte} the Gouverno^r & Councell &c:

The humble Petⁿ of Hugh Stanly, Sheweth That yo^r Pet^{rs} mother shipped on Board Cap^t Samuel Tilghman six Seruants the last yeare. Three whereof were drowned, in the Port of S^t Maries, as they went on shoare uppon the Ice, when by his Condi^cōn hee was to haue deliuered the sayd Seruants att Patux^t. May it therefore please this hon^{bte} Court to take the premises into their serious & most tender considera^ōn, (since yo^r Orato^r humbly conceiues hee ought not to haue exposed them to soe eminent daunger, by w^{ch} they sadly perished) to graunt Order th^t the s^d Cap^t Tilghman may make full satisfaction for the s^d Seruants, wth all Costs & Dammages, & hee shall pray &c:

To the Petⁿ of the p^{tf}, the dēft sayth, That those seruants w^{ch} were drowned went from aboard wth out his priuity or consent hee being then ashoare, & not able to goe aboard his owne Ship, Neyther doth hee conceiue himselfe lyable to make satisfaction for all suddaine accidents, w^{ch} lyeth not in his power to hinder. The Judgm^t of the Board. Noe Cause of Acc^ōn. The p^{tf} nonsuited.

Ticknor
v. Zachary
Wade
Adminr

Know all men by these pnts That I Thomas Ticknor Cittizen & Grocer of London doe by these p^{nts} make constitute & authorize my louing ffreind Samuel Tilghman of Ratcliffe in the County of Middlesex Maryner, Master of the good Ship called the Goulden ffortune of London my lawfull Attorney, for mee & in my name, & to my use, to aske, leauy, recouer, & receiue of and against all & euery p^{son} or p^{sons} whatsoeu^r, dwelling inhabiting or being in Virginia & Maryland, or eyther of them, in the parts beyownd the Seas. All & singular some & so^mes of money, debts, goods, merchandizes & duties whatsoeu^r to mee from them or any of them due, oweing & belonging by bill, bond, specialty, booke, accompt, or otherwise howsoeuer. And also to call all & euery my Attorneys, Agents & ffactors whatsoeuer in Virginia & Maryland afores^d, or eyther of them to accompt of & for all goods, Wares, Merchandizes, so^me & so^mes of Monie & other things whatsoeuer by them or any of them had taken or receiued, of or from mee, or to or for my use. And to aske Leauy, recouer & receiue of & against them, & euery, or any of them all & euery so^me & so^mes of money, debts, goods, wares & merchandizes whatsoeu^r to mee from them or any of them due, oweing & belonging in any manner of Wise.

Gyuing & by these p^{nts} graunting unto my s^d Attorney full power & lawfull authority in the premises to sue, attatch, Seize, Sequester, arrest, imprison & condempne, & forth of prison againe to deliuer—Attorneys one or more under him to appoynt, & the same againe to reuoake, And uppon the Receipts in this behalfe acquittances, or other lawfull discharges in my name to make, seale, & deliuer, And

generally to doe all other things requisite in or about the premises as effectually as I my selfe might or could doe being personally p^esent. And I will ratify & confirme & allow all & whatsoeu^r my s^d Attorney shall lawfully doe or cause to bee done in or about the premises by force of these p^ents. In wittnes whereof I haue hereunto sett my hand & Seale the Twentieth day of Septemb^r in the yeare of Our Lord god, according to the computa^on used in England One Thowsand six hund^d, fifty & nine
 Thomas Ticknor
 Sea + ale.

Sealed & deliuered in the p^ence of Will^m Love Edw : Worsopp W^m Salisbury Sen^r.

Know all men by these p^ents That I John Wade of Poplar Hill in Maryland in the parts beyownd the Seas Chirurgion, am houlden & firmly bownd, unto Thomas Ticknor Cittizen & Grocer of London, in One hund^d pownds of lawfull money of England To be payd to the s^d Thomas Ticknor, his Certaine Attorney, Executo^{rs} Admⁱstrato^{rs}, or Assignes, To the w^{ch} paym^t well & faythfully to bee made, I doe bind mee, my heyres Executo^{rs} & Admⁱstrato^{rs} firmly by these p^ents, Sealed wth my Seale, Dated Twelueth day of Octob^r in the yeare of Our Lord God, One Thowsand six hund^d fifty & Eight. The Condi^on of this Obliga^on is such That if the aboue bownd John Wade his Executo^{rs}, Admⁱstrato^{rs} or Assignes doe truly pay to the aboue named Thomas Ticknor his Executo^{rs}, Admⁱstrato^{rs} or Assignes att or in the now dwelling howse of the s^d Thomas Ticknor, scituate in Bisshops gate streete London, The so^me of ffifty & Three pownds of lawfull money of England (being for goods & merchandizes receiued of the s^d Thomas Ticknor by the s^d John Wade for the use of his Planta^on in Maryland aboue mentioned) in & uppon the Twelueth day of Aprill next comeing after the date aboue written That then this Obliga^on to bee uoyde, or ells to stand in full force & Vertue, John Wade, Sealed & deliuered in the p^esence of us W^m Salisbury Ser^r Rob^r Pryme

p. 358

This is a true Copie & agreeth wth the Original being Examined by us, W^m Salisbury Sen^r, James Heigh his Seru^t Nich : Spencer Edw : Worsopp.

The p^{tf} produceth the Copie of a Bond signed by John Wade Chyrurgeon deceased bearing date 12^o Octob^r 1658, Wherein the s^d Wade is bownd to the p^{tf} under the penalty of one hund^d pownds for the paym^t of ffifty three pownds Sterl, as is conteyned in the s^d Bond.

The Admⁱstrato^r not prouing th^t any thing was eyther paid by the s^d Wade, or himselfe in Satisfaction of this Debt, & not able to obiect any thing concerning the Bond, & the iustness thereof, It is Ordered th^t the p^{tf} haue Judgm^t agst the Admⁱstrato^r for ffifty Three pownds sterl. according to the s^d Bond.

Liber
P. C. R.
Ticknor v.
Capt John
Price
Adminr to
James

Bee it knowne unto all men by these p^ents That I Owen James of the Prouince of Maryland under the gouerm^t of the L^d Baltemore Planter, doe hereby acknowledge & confesse th^t I doe owe & am indebted unto Thomas Ticknor Cittizen & Grocer of London, the some of ffifty fower pownds, one shilling, & Two pence of Lawfull money of England for diuers goods, waires & commodities by mee receaued & had of the s^d Thomas Ticknor, for the supplying of my plantaōns in the Prouince of Maryland afores^d, And to be payd unto the s^d Thomas Ticknor his heyres, Adm^{rs}, or Assignes uppon the Tenth day of March next ensuing the date hereof. And for the true paym^t thereof unto the s^d Thomas Ticknor his Executo^{rs} & Assignes. I bind mee my heyres Executo^{rs} & Adm^{istrato}^{rs} in the sume of One hund^d & Eight pownds of lawfull money of England, firmly by these p^ents. Sealed wth my Seale dated the Seauenteenth day of Nouemb^r in the yeare of Our Lord God, One Thowsand six hund^d ffifty & ffower. The marke of the s^d Owen James Signed, Sealed & Deliuered in the p^ence of John Steuens, Thomas Pearson Ser^r.

To all poeple to whom this p^ent writing shall come, I Owen James of the Prouince of Maryland, under the Gouerm^t of the L^d Baltemore Planter & now bownd out from the Port of London to the Prouince afores^d send Greeting. Whereas I the s^d Owen James in & by a certaine Bill or writing under my hand & Seale bearing date the day
p. 359 of these presents stand indebted & bownd to pay unto Thomas Ticknor Cittizen & Grocer of London in the sume of ffifty fowre pownds, One shilling & Two pence payable uppon the Tenth day of March next ensuing the date of the s^d Bill. And for true p^eformance thereof, being for goods, wares, commodities & merchandizes by me receaued & had of the s^d Thomas Ticknor for the supply of my Plantaōns in the Prouince afores^d I haue bownd my selfe in Executors & Adm^{istrato}^{rs} in the summe of one hund^d & Eight pownds as by the s^d Bill of Debt or writing (relation being thereunto had) may att large appeare. And whereas allso I the s^d Owen James haue laden & intend to lade aboard the good Ship called the Goulden ffortune of London, whereof Samuel Tilghman is master under God, now bound out uppon a Voyage to the Prouince of Maryland diuers goods merchan-
T O F dizes & commodities, the p^rticulars whereof are mentioned & expressed in an Inuoyce thereof hereunto annexed, & are to goe under the marke in the margin. Now know Yee th^t I the s^d Owen James for & in Consideraōn of the better security of true paym^t & satisfaction to bee made unto the s^d Thomas Ticknor his Executo^{rs} or Assignes of the sume of ffifty ffower pownds, One shilling, & Two pence according to the teno^r of the s^d Bill of Debt Haue bargayned & sould & by these p^ents doe bargaine & sell unto the s^d Thomas Ticknor his Executo^{rs}, Adm^{istrato}^{rs} & Assignes to his & their owne use & uses, All & Euery the s^d goods, merchandizes & commodities in the s^d

Inuoyce p^rticularly mentioned. And allso as well both my seruants Liber
P. C. R. aboard the s^d Ship. As allso all my Plantaōns, seruants, goods, Cattle, Chattles, & other things in the Prouince of Maryland afores^d, Prouided allwayes, & uppon this Condi^cōn neuerthelesse, th^t if I the s^d Owen James my heyres Exec^{rs}, Adm^{rs}, or Assignes or any of us, doe & shall well & truly pay or cause to bee payd unto the s^d Thomas Ticknor his Exec^{rs}, Adm^{rs}, or Assignes the s^d sūme of ffifty fowre pownds one Shilling & Two pence according to the teno^r & true meaning of the s^d Bill of Debt, That then this Bill of Sale shall be uoyd & of noe effect, or ells it shall stand in full force absolutely. In Wittnes whereof I haue hereunto putt my hand & Seale dated the 17th day of Nouemb^r in the yeare of Our Lord God, One Thow-sand six hund^d ffifty & ffower

The Inuoyce mentioned in the Bill of Sale hereunto annexed. Imp^r Three suites of Apparell of Cloath ffowerty Two Ells of Canuise| nine Ells & one halfe of Dowlas| one fflock bed, boulster & rugge| one ffeather bed, boulster, rugge, & bed coards, & a matt| Eleauen Thousand of nayles| six broad hoes, six ffelling Axes, Two narrow hoes| one Drawing knife| one kilderkin| Two Cotton Was-coates| Two payre of Cotton hose| Two payre of Drawers| Three payre of gray hose| fower payre of Cotton hose| one dozen payre of Shooes| one payre of Bootes| one hatt| All his gunpowder contain- p. 360 ing halfe a hund^d of powder| And all his Shott. One hund^d & one halfe weight| Two men Seruants aboard the ship in the Bill of Sale mentioned| Ten Cases & one halfe of strong waters| one Runlett of Sack.

? The mark of the s^d Oowen James.

Signed, Sealed & deliuered in the p^ence of John Steuens Thomas Pearson Scr^r.

These are true Copies & agree wth the Originalls & were examined by us

Will^m Salisbury Will^m Parker his Seru^t Nich: Spencer Edw: Worsopp.

Vppon the demand of the p^lf for 54^t, 1^s, 2^d, agst the Admⁱstrato^r of Owen James Deceased, according to the s^d Owens Bill, A Copie whereof is produced & shewen in Court & attested by lawfull witt-nesses, (whereof, One is p^ent in Court) by the s^d p^lfs Attorney.

The deft sayth th^t thirty Eight pownds, Ten shillings, Three pence, halfe penny is allready (formerly) payd of th^t Bill by Owen James in his Life time as may appeare by an acquittance gyuen by Edmund Vid. fol. 268 Berkeley (who was then the p^lfs Attorney) & uppon Record.

W^{ch} Receipt or acquittance being read, & allowed by the Board. It is ordered th^t the Admⁱstrato^r pay the Remainder of the Bill, being ffifteene pownds, Ten shillings, & Eleauen pence sterl. unto the p^lf, or his Attorney; or make other satisfaction in goods to th^t ualue.

Liber
P. C. R.
Corwin v.
Mitchell &
Smoot

Know all men by these p^{ents} th^t I Teague Corwaine Maryner, be-
longing to the Goulden ffortune, now ryding in S^t George's Riuer,
doe constitute & ordaine my louing ffreind Rob^t Cole of S^t Clem^{ts}
Bay in the Prouince of Maryland, my true & lawfull Attorney for
me & in my name to sue implead or arrest any p^{erson} or p^{ersons} what-
soeu^r, to me indebted wth in this Prouince of Maryland by himselfe,
or any other, whom the s^d Rob^t Cole shall constitute in his stead, as
my Attorney. And what my s^d Attorney shall by himselfe doe, or
also, what any other p^{erson} by my afores^d Attorney constituted shall
act in the premises, I the aboue mentioned Teague Corwayn doe
hereby ratify & confirme the same as if it had bene done by my
selfe in p^{erson}all presence.

Wittnes my hand this 29th of January 1659

Testes Richard Willan Jonas Watters.

T. C.

To the hon^{bte} the Gouverno^r & Councell &c:

p. 361 The humble Petⁿ of Rob^t Cole, Attorney of Teague Corwin
Sheweth, That whereas Thomas Mitchell & Will^m Smoote stand
indebted unto Teage Corwin in the sume of nineteene hund^d pownds
of Tob & Cask, yo^r Pet^r in the behalfe of the afores^d Teage Corwin
hath demanded paym^t of the afores^d Mitchell, but receiued not any,
W^{ch} is much to the dammage of the afores^d Teage, by reason of his
goeing forth of this Country, & want of the afores^d Tob. The
premises Considered yo^r Pet^r desyreth th^t the afores^d Mitchell &
Smoote may be compelled to make p^{ent} paym^t wth forbearance, &
Costs of suite, & yo^r Pet^r shall eu^r pray &c:

Vppon the demand & Petⁿ of the p^{tf}, for 1900^t Tob. & Cask, The
dēft Thomas Mitchell (to whom th^t Debt principally belongeth) in
answere sayth, That hee hath already ouer payd that Debt, as hee
can make appeare by Receipts under the p^{ffs} owne hand, & other
testimonies, & by his owne accompt, And thereuppon produceth One
Receipt dat, 29th Decembr^r (in part of paym^t of a Bill of 1900^t Tob)
Ano 1658 for nine hund. & Twenty pownds of Tob & cask Allso one
other Receipt dat 1^o June 1658, for Two hund^d & Twenty pownds
Tob, receiued of Arthure Turner for the dēfts use. Both w^{ch} Re-
ceipts are signed wth the p^{ffs} marke. And Cap^t Nicholas Gwyther
euidenceth in Court That hee payd one hogshead of Tob. weighing
336^t to Thomas Mitchell, & the s^d Mitchell payd the same to the p^{tf}
Teage Corwin, And the dēfts acc^t comes to 450^t Tob. It being, for his
dyett washing & lodging, for three weeks att the dēfts howse hee
being then lycenced to keepe an Ordinary, Soe th^t the dēft hath ouer
payd th^t Bill by Twenty six pownds of Tob. The dēfts Craue a
nonsuite wth Charges & Costs of suite. W^{ch} was graunted & soe
Ordered by the Board.

John
Walton v.
Mr Ed:
Prescott &
e Contra

Putt to Arbitraōn.

To the hon^{bte} the Gouverno^r & Councill &c:

The humble Petⁿ of Will^m Battin humbly Sheweth, That Richard Smith was imployed by yo^r Pet^r in the yeare 1659 to procure seruants in England to be transported into this prouince for yo^r Pet^{rs} use, & was allowed Sallary for the same, as it may appeare by seuerall sumes of moneys receiued during his abode both in this Prouince & England. But hauing shipped the seruants aboard M^r Haskeynes tooke their Indentures in his owne name (notwthstanding yo^r Pet^r undertooke for the transport of himselfe & seruants soe shipped) & hath contrary to the ffayth reposed in him, disposed of the s^d Seruants. And yo^r Pet^r then being not in Bristoll, att the discharge of the ship, could not perfect his Acc^{ts} wth the s^d Master. By w^{ch} meanes the s^d Master attatcht the Tob, w^{ch} was given for the s^d Seruants. Whereuppon yo^r Pet^r is much damnified in the Contract betweene the s^d Master & himselfe, W^{ch} was To pay for the transport of a seruant att Bristoll 5^l, 10^s, or att the returne of the Ship 7^l, 10^s, or in this Prouince 800^l of Tob. & Cask. All w^{ch} Contract & agreem^t was made uoyd, by the s^d Smith in the indirect sale of the s^d Seruants as by the deposⁿ of the s^d M^r Haskeynes may appeare. ffurther the s^d Smith is indebted to yo^r Pet^r 19^l, 18^s, 6^d, 800^l Tob & Cask & 13 armes length of Roanoke as p^r Acc^t may more att large appeare.

Liber
P. C. R.
Battin v.
Smith

p. 362

May it therefore please this hon^{bte} Court to Order That the s^d Smith make satisfaction for the dammages soe by yo^r Pet^r susteyned in the sale & indirect disposure of his seruants, & pay the aboues^d Acc^t, wth Costs & Charges of suite & hee shall pray &c:

This Cause being sent up from the County Court in Charles County to this Prouinciall Court. The dēft, by his Attorney M^r James Langworth, denyeth whatt is alleaged in the Petⁿ & willeth the p^{lf} to make prooffe of the same. And uppon reasoning the Case on both sides The Board putt the same to a Jury, Who returne their Verdict. Noe Cause of suite.

To the hon^{bte} the Gouverno^r & Councill &c:

The humble [petition] of Sampson Waring Sheweth That whereas John Waghop hath uery much trespassed yo^r Pet^r by uniustly paying away & disposing of a hogshead of Tob, belonging to yo^r Pet^r to the ualew of 386^l as hee can iustly make appeare. Yo^r Pet^r humbly Craueth satisfaction from the s^d Waghop wth damages & Costs of suite, & he shall pray &c:

Waring v.
Waghop

Vppon the demand & Petⁿ of the p^{lf} the dēft sayth, That that hogshead of Tob was rotten, or damnified, & lay to & agen about the Tobacco howse; neyther tooke hee any care of, or concerning it, Imagining that the p^{lf} did soe likewise.

Liber
P. C. R. James Veitch sworne 22th Nouemb^r 1659 before Philip Caluert Esq^r Sayth, That being att the howse of John Waghop sometime in Aprill last hee saw Two or Three Seamen wth baggs of Tob, carry- ing from the Tobacco howse, And th^t being in Company wth Cap^t Waring & Rob^t Kedger to looke uppon a hogshead of Tob w^{ch} Cap^t Waring had receiued of Rob^t Kedger, hee saw some of the seamen take Tob out of a hogshead th^t had the broad arrow uppon it & marked wth R. C. That hee did heare John Waghop say, That hee had gyuen the Seamen that Tob, they were carrying away; & th^t looking uppon some of the s^d Tob, hee sayth th^t it was sownd & of a good coulour, & further sayth not. James Veitch.

Robert Cornish deposed in open Court sayth That the hogshead of Tob now in dispute was damnified; Lying in the Tobacco howse one whole summer uppon the grownd, wth one head out, & part of the Tob. out allso.

George Mackall Jurat idem quod Rob^t Cornish Suprà, This suite is dismissed, & Ordered That each pay their owne Charge, in Con- sideraōn of their neglect.

London v.
John Reade
p. 363 Know all men by these p^ents th^t I John London for diuers good & ualuable causes & Consideraōns mee thereunto mouing doe by these p^ents constitute ordaine & appoynt my trusty and welbeloued ffreind William Coursey to bee my true & lawfull Attorney for mee & in my name to sue John Reade & what my Attorney shall lawfully doe, I by these p^ents ratify & confirme John London.

The p^lfs Attorney sheweth in Court An accompt of Seuerall goods w^{ch} the dēft tooke up of the p^lf, amounting to 760^t Tob. The dēft acknowledgeth the s^d accompt, And confesseth Judgm^t for Seauen hund^d & Sixty pownds of Tob unto the p^lf in open Court.

The Court adiorned by the Gouverno^r till to morrow morning att 9 a Clock.

ffriday 2^d of March as afore.

All present as yesterday.

March 2
Rock v.
Battin This Day came Will^m Battin & acknowledgeth Judgm^t for One Thowsand nine hund^d & ffifty pownds of Tob & Cask to bee payd att Pickyawaxent on the last day of October next to M^r Joseph Rock, or his Attorney. And is in satisfaction of a Judgm^t or Order of Court yesterday had & obteyned agst him the s^d Battin by the s^d Rock for fueteene pownds, seauen shillings & nine pence sterl. as is conteyned in the s^d Order afores^d.
Vid. fol. 354

Cooke v
Attwicks
Vid. fol. 356 Came Cap^t Miles Cooke & assigneth ouer unto Philip Caluert Esq^r That Judgm^t yesterday had, agst Humphrey Attwicks for One Thow-

sand seauen hund^d, sixty & one pownds of Tob & Cask, as in the s^d Liber
Order appearth. P. C. R.

The dft not being p^{ent} in Court, nor the p^{lf}, but by his Attorney, It Mr John
is therefore Ordered th^t this Cause be respited till next Prouinciall Bateman v.
Court. Richard Lee

To the hon^{bte} the Gouverno^r & Councell &c:

The humble Petⁿ of Thomas Manning Sheweth, That whereas Manning v.
Robert Simkin is indebted to yo^r Pet^r 544^t Tob & Cask by Bill & Cole
Thomas Cole hath receiued the Estate of the s^d Simkin to pay his
Debts, Yo^r Pet^r humbly craues an Order agst the s^d Cole for the s^d
Debt wth Costs of suite & damages, & hee shall pray &c.

These p^{ents} wittnesseth th^t I Thomas Cole, being arrested att the
suite of Tho: Manning in an acc^{on} of the Case att a Prouinciall
Court houlden att Maryland att the howse of Thomas Gerard, Know
yee th^t I the s^d Thomas Cole doe hereby appoynt my trusty & wel-
beloued ffriend Will^m ffuller to answeere the s^d suite & to pleade my
cause. And whatsoeu^r my s^d Attorney shall doe therein, I doe by
these p^{ents} ratify, allow, & confirme. Wittnes my hand this 14th of
ffebruary 1659.

Wittnes hereunto Olyuer S rye

The marke of
Thomas T [Cole]

The p^{lf} Sheweth ouer & aboue then what is mentioned in his Petⁿ, p. 364
That This ffowre hund^d ffowrty ffowre pownds of Tob. hath beene
due to him from Rob^t Simkin euer since An^o 1652 according to the
s^d Simkins Bill.

Cap^t Sampson Waring Sworne in Court Sayth That the d^{eft}
possessed himselfe of the s^d Simkins Estate, & of one hund^d Acres of
Land belonging to him.

The d^{eft} by his Attorney acknowledgeth Judgm^t for the fores^d
summe of Tob, Prouided the p^{lf} be content to pay himselfe out of a
parcell of Land Lying in Patowmeck Riuer, & belonging unto him,
To w^{ch} the p^{lf} doth agree. And it is further agreed & consented unto
That the s^d Land bee sold by an inch of Candle. And the surplusage
ouer & aboue his Debt, (when sold) the p^{lf} to deliuer to the d^{eft}.

To the hon^{bte} the Gouverno^r & Councell &c:

The humble Petⁿ of Gregory Murrell most humbly Sheweth That Murrell v.
one M^r Nicholas Morris of Verginia, about Two yeares since did Overzee's
arrest yo^r Pet^r in an acc^{on} of Debt, & the teno^r of the writt running Estate
wth out bayle or mainprize yo^r poore Pet^r was enforced to lye in
prison 102 dayes before the day of tryall. And when yo^r Pet^r ap-
peared, not any p^{eson} appeared for the p^{lf}. Whereby yo^r Pet^r ob-
teyned a nonsuite wth Costs, Now since w^{ch} time the s^d M^r Nicholas
Morris hath arrested yo^r poore Pet^r againe. And hath employed M^r
Symon Ouerzee to bee his Attorney; who hath undertaken the same,

Liber
P. C. R. But the s^d M^r Ouerzee not appearing yo^r Pet^r humbly craues order agst the Estate of the s^d M^r Ouerzee for his charge & dammages according to an Order of the Prouinciall Court & published to the intent to preuent such inconueniences, W^{ch} yo^r Pet^r certainly knows the s^d M^r Ouerzee could not be ignorant of, The premises considered yo^r poore Pet^r humbly craues Order agst the s^d M^r Ouerzees Estate, Or to be directed agst whom yo^r Pet^r ought iustly to requyre eyther according to Law, or good Conscience.

Vid. fol. 213 The s^d M^r Symon Ouerzee dying (in a manner) sodenly, not making any Will, & noe one yett hauing taken out lres of Admīstrāōn. And That Order mentioned in the Petⁿ read & perused.

Ordered, The Pet^r Nonsuited

To the hon^{bte} the Gou^r & Councell &c:

Wright v.
Lee The humble Petⁿ of Richard Wright Mercht^t Sheweth That Richard Lee Carpenter stands indebted to yo^r Pet^r by acc^t 1200^t Tob & Cask And 25 dayes worke to Charles Carpainter, whom yo^r Pet^r is impowred by to sue him the s^d Lee. And yo^r Pet^r further Sheweth That hee agreed wth the s^d Richard Lee for the building of an howse the 23th of Septem^r 1658, as by the s^d Agreem^t appeareth, & th^t the s^d Lee hath not p^eformed his Couent^t in th^t agreem^t to yo^r Pet^{rs} dammage of 2000^t Tob, yo^r Pet^r therefore most humbly desyres the s^d Lee may bee to satisfy him his acc^t, & dammages afores^d, & hee shall pray &c:

p. 365 The dēft uppon default of appearance being lawfully Summoned, & the Writt Returned by the Sheriffe Executed.

The p^{tf} is admitted to make Oath to his acc^t.

Richard Lee Carpent^r Deb^r.

To one hatt	200 ^t Tob. Cask
To 2 payre of shooes	050
To 1 payre of ditt. for Rich: Rise	025
3 payre of wosted stockins	150
1 payre of ditt: att	050
2 payre of Irish hose	028
$\frac{1}{2}$ a gall of drams	035
1 payre of wosted hose for Ed: Williams	050
2 gall Runletts of drams	140
1 drinking Cup	012
To M ^r Peter Ashton for Court charges	160
To Peter Jennings for yo ^r busines att	
James Towne	300

Some is 1200

p^r Rich: Wright.

And uppon Oath made by the pff, th^t his s^d Accompt is true & Liber
iust, & That hee neu^r yett receiued satisfaction, It is Ordered th^t P. C. R.
the pff haue Judgm^t agst the dēft for the s^d some of Twelue hund^d
pounds of Tob. & Cask.

M^r Richard Lee, & Richard Wrights Condi^cōn ffor the building
of a Twenty fiue foote howse square| wth a Cellar fowre foote in the
grownd| The Posts to stand uppon groundsells all Locust| wth sum-
mer & small Joyce| The first roome to be the pitch of the hall,
wherein I liue now or thereabouts my Cellar to bee six foote, Light,
& other Conueniences to it| The Roome of the hall pitch, to bee
layd wth sawen boards, the same to bee lathed, to be playstered. The
upper Roome to be layd wth splitt boards ioynted close, wth a window
out of each side. And the stayres to goe up att the end, the same to
bee seald, Two Closetts & Chimney to bee in the hight pitcht roome,
a Porch wth windows to iett out of the roome, ffurther I the s^d Rich-
ard Lee doth bind my selfe & assignes to p^eforme the aboue men-
tioned Condi^cōn unto Richard Wright or his assignes. And further
& the s^d Richard Wright doth bind my selfe & assignes uppon the
finishing the aboues^d to pay unto M^r Rich: Lee Eight pounds sterling
in goods att the first penny; & th^t the s^d Lee shall not stay for any
help, th^t the s^d Wright can make of those hands hee hath att home.
And if the s^d Lee shall doe any thing as sawing or mawling or felling
that the, s^d Wrights poeple cannot doe, then the s^d Wright to satisfy
the s^d Lee for the same. In wittnes whereof wee haue sett our p. 366
hands, September the 23th 1658

Rich: Lee Rich: Wright

Testes ffrancis Clay Rice Maddocke.

Vppon dammage of the pff susteyned, The dēft not hauing
p^eformed according to his Condi^cōn & agreem^t, It is Ordered th^t the
pff haue Judgm^t allso for Two Thowsand pounds of Tob.

Whereas the pff hath petitioned the Board, Shewing th^t the dēft
is indebted unto him 1800^t Tob, for a Seru^t & other goods bought
of him, of w^{ch} the dēft hath payd him 1038^t Tob, soe that there re-
maynes from the dēft, to the pff to ballance 762^t Tob. Capt Miles
Cooke v.
Mr Robert
Clearke

The dēft sayth th^t Cap^t Samuel Tilghman oweth him 700^t Tob,
w^{ch} hee is willing to assigne him ouer, for his satisfaction.

James Langworth sworne on the behalfe of the dēft, Sayth th^t
in his p^esence uppon ballancing an acc^t of about Eleauen hund^d
pounds of Tob betweene the dēft & Cap^t Tilghman, say sometime in
ffebuary last, that hee would pay 700^t Tob, remayning due uppon
the Acc^t to the dēft.

To w^{ch} the pff sayth That if Cap^t Tilghman will pay him ready
Tob, hee will accept it, But is not content to take goods for his
Debt.

Liber
P. C. R. And the dēft acknowledging the Debt, It is Ordered th^t the p^{tf} haue Judgm^t agst the dēft for seauen hund^d sixty Two pownds of Tob. as is demanded.

Exeqⁿ issued Eod die to the Sheriffe of S^t Maries County ad Satisfaciend^m uppon the Estate of the p^{tf} according to the Order.

To the hon^{bte} the Gouverno^r & Councill &c:

Clocker v.
Gwyther The humble Petⁿ of Daniel Clocker Sheweth, That Cap^t Nicholas Gwyther High Sheriffe of S^t Maries County wrongfully wth out any iust reason or cause detaines uppon his hands Seauen hund^d Ninety & fve pownds of Tob & cask, w^{ch} he was oweing & still doth owe for worke done by yo^r Pet^r for him. He humbly therefore desyres, th^t the s^d Cap^t Gwyther may be forthwth requyred by yo^r hon^{rs} Order to pay yo^r Pet^r his s^d Tob, as in all iustice & Equity hee ought to doe. And yo^r Pet^r shall pray &c:

Vppon the demand & Petⁿ of the p^{tf}, The dēft sayth That the p^{tf}s Wife was committed into his Custody ffor ffelony the last yeare, & brought to her tryall for the same, & therefore for his ffee of her imprison^t, & other ffees in th^t busines he deteyneth the Tob, And conceiues th^t the p^{tf} ought to pay & satisfy the same.

The Gouverno^r requesteth the Councill to deliuer their Judgm^{ts} severally herein. Coth Vtye, That his L^p is to pay the ffees to the Sheriffe, whenas his L^p receaues the benefitt off ffelons Estates.

M^r Baker Brooke. The same. Except the Law of England order
p. 367 Coth Jno Price. The same, ut Suprà.

M^r Tho: Gerard. On his L^p, Vnlesse there bee some Law or president to the Contrary in this prouince.

D^r Barber. The same wth M^r Gerard.

The Judgm^t of the Board is that the dēft ought not to detain or stop the p^{tf}s Tob, uppon that Consideraōn. Ordered therefore th^t the dēft pay unto the p^{tf} seauen hund^d ninety fve pownds of Tob, according to his demand.

To the hon^{bte} the Gouverno^r & Councill

Re
Gwyther's
Fees The humble Petⁿ of Nicholas Gwyther Sheriffe, Sheweth, That according to a writt directed to him hee layd an Extent on Cap^t Will^m Lewis Land att Portoback. And likewise serued an other Writt of Partition on the Land of D^r Luke Barber, & M^r Walter Hall, And was att some charge therein, by reason the Poeple warned by him lyued far distant. His humble Request is that this Court will determine & appoynt what ffee the Sheriffe shall be allowed for seruing Writts of th^t nature, & he shall pray &c:

It is hereuppon Ordered by the Board That the Sheriffe bee allowed ffor his Executing Writts in this kind (Viz) ffor euery

seuerall p^eson warned 10^t Tob. And for euery seuerall Returne other 10^t Tob. And the Charge of attendance, & dyett of the Juro^{rs}, wth the Sheriffs dyett allso, ouer & aboue that ffee.

The p^f sheweth how th^t uppon seuerall accompts & Bills to his ffather, & him, James Pearce Deceased, was indebted; & that there remains still to ballance 1760^t Tob.

And the dēft being Admⁱstrato^r to the s^d Pearce the p^f craues Judgm^t agst him for the s^d Debt. And the p^f making Oath to his s^d accompt.

It is Ordered th^t the dēft pay unto the p^f Seauenteene hund^d & sixty pownds of Tob. & Cask, according to his demand.

The p^f not appearing eyther by himselfe or Attorney, The dēft Craues a Nonsuite, W^{ch} was graunted.

The dēft being lawfully summoned by Writt of Scire facias & not appearing eyther by himselfe or Attorney, It is Ordered th^t the p^f haue Exequuōn for ffowre hund^d pownds of Tob, besides Costs of suite, according to the s^d writt, & former Judgment.

To the hon^{bte} the Gouverno^r & Councell &c:

The humble Petⁿ of Richard Smith Humbly Sheweth That yo^r poore Pet^r hath bene extreamely damnified by a uexatious suite Commenced agst him in this hon^{bte} Court by Cap^t Will^m Battin, wth false imprisonm^t: being a close Prisoner during the space of Two & fifty dayes. By w^{ch} meanes hee hath not only bene uniustly restrayned in his liberty but allso lost his whole winters imploym^t, euen to the utter impouerishing yo^r poore Pet^r. And extreamely charged in hyring passage & hands into Virginia to procure testimonies to cleare himselfe from th^t sad & most iniurious restraint, for the space of one & twenty dayes, ffurther the s^d Cap^t Battin hath stopped thereby his returne for England to his great preiudice & what goods & seruants hee transported, are eyther undisposed of, or what are putt of for pay, the Debts are yett unsatisfyed & unreceiued, By w^{ch} meanes hee cannot hope to make any returne this yeare thereof.

And allso fowrty shillings for the procurem^t of Two seruants: w^{ch} hee bownd by assignm^t to the s^d Cap^t Battin for the Consideraōn afores^d in England the latter end of August last & yett unsatisfyed.

May it therefore please this hon^{bte} Court, the premises into their serious & most tender Consideraōn to take, & bee pleased to graunt him a Jury to consider of the whole dammages, costs, charges, & expences thereby incurred together wth the fowrty shillings, w^{ch} hee engaged unto yo^r Pet^r to pay, as before exprest, as by acc^t may ap-

Liber
P. C. R. peare. And Order Cap^t Battin to make him satisfaction, according to Equity & Conscience, & his shall eu^r pray &c:

Whereas Richard Smith p^{lf} hath petitioned this Court Shewing that hee hath bene extreemely damnified by Cap^t Will^m Battin dēft, wth false imprisonm^t, being kept close Prisoner 52 dayes (as is more att large conteyned in his s^d Petⁿ) And further demands fowrty shillings as a Debt due to him from the s^d Battin. And thereuppon craues that a Jury be impanelled, to consider of his dammages.

The dēft desyres to be tryed by the Board in Equity, & not by a Jury. And evidenceth to the Board, That the p^{lf} tooke out of the dēfts Cellar in Bristoll, a ffeatherbed, pillow, 2 blanketts, a Rugge, & a payre of Red drawers, & still retaines the same, & therefore commenced suite & tooke out writt agst him.

The p^{lf} sayth That hee hath the Bed & blanketts, & th^t hee is indebted for them to the dēft, & offers to make paym^t therefore.

Anne Rawser sworne in open Court in ditt, Sayth That shee was bownd in England to Richard Smith, & the s^d Smith assigned her Indenture ouer to M^r Battin; whereuppon shee knew not well who was her Master, And as to the Bed, Shee sayth, That Richard Smith had the same

Vppon the Euidence produced, & acknowledgm^t of the p^{lf}, The Judgm^t of the Board is (noe false Imprisonm^t)

And thereuppon the dēft craues a Nonsuite agst the p^{lf}, W^{ch} was graunted by the Board.

Re Fox's
Estate
p. 369
Whereas att a County Court held att New Towne for the County of St^t Maries, on the 14th day of ffebruary last past, The Commis^{rs} then present fownd Cause to Order Walter Hall to exhibite his Accompt of the Estate of the Orphan of Henry ffox late of New Towne in the County afores^d Plant^r Deceased to this Prouinciall Court according to the Act of Assembly in that Case prouided, under the paine, or penalty of Tenne Thowsand pownds of Tob & Cask, as by the Order afores^d may appeare.

The s^d Walter Hall appearing att this Court, And hauing neuer yett taken out letters of Adm^{stra}ōn.

It is therefore Ordered that the s^d Walter Hall take out lrēs of Adm^{stra}ōn of the Estate of Henry ffox afores^d deceased & giue in security according to forme of Law, And an Accompt betweene this & the next Prouinciall Court.

The Court adiorned by the Gouverno^r till to morrow 11 à Clock

Saturday 3^o March 1659 as afore.

All p^ent as yesterday.

Liber
P. C. R.
March 3

Whereas Nicholas Gwyther Sheriffe of St Maries County hath peti[ti]oned this Board, Shewing how th^t One Richard Galey (who came wth the Ship St George into this Prouince) was by Order of the Gouverno^r & Councell banished & Ordered not to returne into the prouince againe wth out speciall lycence, as by th^t Order of Court may appeare. And whereas the s^d Galey returning againe into the prouince wth in his limitted time of banishm^t wth out lycence, & committing some misdemeano^{rs} was therefore committed to the Sheriffs Custody, where hee remayned Prisoner about three months, & then dyed. The s^d Sheriffe finding him dyett, lodging & other necessities att his owne Charge all the time of his imprisonm^t: And then att his Death decent & Christian like Buriall, ffor all w^{ch} hee receiued noe fee, or other satisfaction, the s^d Galey being not resident here, nor hauing any Estate or ffortunes in this Prouince.

Re Galey

Vide 3. Md.
Arch. Coun.
361

It is Ordered That it be referred to the Assembly, And the howse to make Order for such matters, in this & the like Cases.

These p^ents wittnes That I Nathaniel Vtye Merch^t doe assigne & make ouer unto Joseph Wicks of the Ile of Kent Two men Seruants named ffrancis Brooke & Thomas Brooke for the time & tearme of fflower yeares, As wittnes my hand this 3^d of March 1656.

Wicks v.
Utye

Wittnes Henry Meese Thomas Ward.

Nath Vtye

Vppon the motion of Cap^t Joseph Wicks P^{tf}, Concerning Two seruants bought of Coth Nath: Vtye dēft, The s^d dēft uoluntarily ioyned issue wth him.

And thereuppon the p^{tf} produceth his Assigm^t or noate of the s^d Two seruants from the dēft to him, & Craueth the Judgm^t of the Board touching the same.

The Judgm^t of the whole Board is That those Two seruants assigned ouer to the p^{tf} by the dēft, according to th^t noate for fflower yeares; The Board understandeth fflower yeares apeice.

And for that one of the s^d Seruants is allready ffree, & the other likewise hath petitioned att this p^ent Court for his ffreedome allso, Soe th^t one whole yeare is remayning of th^t Seruants labo^r due to the p^{tf} w^{ch} is allready ffree. In Consideraōn of w^{ch} yeares Seruice It is Ordered th^t the dēft pay unto the p^{tf} One Thowsand powns of Tob, att the next Crop.

Vid. fol. 348
p. 370

Thomas Gerard Esq^r Sheweth That hee was summoned to appeare att a Court held in Caluert County (1658) 5th of Octob^r, by John Lord, And the s^d Lord not appearing att th^t Court; The s^d Thomas Gerard obteyned a Nonsuite agst him wth Charges of attendance.

Gerard v.
Lord
Vid. fol. 25
&
Vid. fol. 99

Liber Hee humbly therefore craues the opinion & Judgm^t of this Board,
P. C. R. what hee shall be allowed for his Attendance, molestaoⁿ, & nonsuite.

Ordered th^t the s^d Tho: Gerard be allowed for his s^d attendance
& nonsuite ffive hund^d powns of Tob.

Utye v. Robert Clearke Esq^r his L^{ps} Surveyo^r Gra^{ll} (att the request of
Thomas Coth Nathaniel Vtye) Sayth uppon Oath in Court, That according
to the s^d Coth Vtyes Order & according to a war^t that he had to
suruey Land to Philip Thomas. Hee did suruey the same, adioyning
to his Land where hee now liues. And the next day, when hee
came to finish his suruey, & went to the place to doe it: The s^d Philip
Thomas sayd hee would not haue the Land. And soe discharged this
Depon^t.

Capt Whereas the p^{ffs} tooke out writt of Attatchm^t agst the Estate of
Sampson Cap^t Will^m Mitchell deceased 25^o of Aprill last, Ret att the Prouin-
Waring and ciall Court following, the ffowrth day of Octob^r, for 2000^t Tob,
James Veitch v. W^{ch} Attachment was att th^t Court held 7^o Octob^r continued, &
Capt respited till this Prouinciall Court. And the Admⁿistrato^r to the s^d
Mitchells Estate Mitchell's Estate, not appearing eyther att the last Prouinciall Court,
Vid. fol. 264 or att this Court, & being in due Order called
& fol. 320

Judgm^t is graunted unto the p^{ffs} agst the d^{ef}ts Estate for Two
Thowsand powns of Tob, according to the s^d writt of Attatchm^t.

Gerard v. Vppon the motion of Thomas Gerard Esq^r to the Gouverno^r &
Willan & Councell Shewing how that hee formerly commenced suite agst M^r
Lindsey Richard Willan & M^r James Lindsey concerning his tytle to Snow
Vid. fol. 204 Hill. And att the Court houlden att S^t Maries 2^d of March 1658
& fol. 222 Philip Caluert Esq^r concerned in th^t cause appealed to his L^p in
& fol. 123 England. And his L^{ps} Determina^on of the Cause betweene him, &
the fores^d p^{rties} being sent in from his s^d L^p hee humbly Craueth the
Judgm^t of the Gouverno^r & Councell to declare whither th^t Determi-
na^on of the Cause as afores^d, shall bee entred uppon Record, as a
ffinall Determina^on of the Cause Yea or noe?

p. 371 And uppon some quære Whither an Appeale was admitted or
graunted for the Determina^on of the whole Busines, or only for his
L^p to declare where his L^{ps} manno^r of Snow Hill is. The Clarks
fowle noates being called for, & read; Where, these words following
are not inserted in th^t former Order, nor sent to his L^p in England
(Viz)

“The p^{ff} makes appeare to the Court That his Wife is the next
heyre th^t appeareth in this Prouince, being Sister to him that tooke
up the Land now in dispute. And the p^{ff} is admitted by the Board to
be heyre att Law in Right of his Wife till a Brother (there being Two
yett supposed to bee lyuing) makes claime of the same.”

And being putt to the Vote. The Judgm^t of the Councell is M^r Baker Brooke Not, because the whole business was not sent home to his L^p. Liber
P. C. R.

M^r Rob^t Clearke Not, ffor the same reason.

Coth Nath: Vtye, Not, The Busines being not fully sent home, nor Appeale graunted for to haue the whole busines determined concerning the Land: But only where his L^{ps} Manno^r of Snow Hill is.

Coth John Price. Noe finall Determinaōn.

D^r Luke Barber The same.

Gouerno^r. Noe final Determinaōn.

But Ordered to be entred uppon Record, though not as a ffinall Determinaōn.

And further Order^d, That Summons issue, to M^r Richard Willan & M^r James Lindsey Ad audiendu^m Judiciu next Provinciall Court.

The Determinaōn of the Cause touching Snow Hill betwixt Thomas Gerard Esq^r p^{tf}, & James Lindsey & Richard Willan dēfts made by the Right Hon^{bte} the Lord Baltemore, Lord & Proprietary of Maryland to whom itt was referred by Appeale. Se + ale

Hauing perused the State of the Case concerning Snow Hill, Betweene Thomas Gerard Esq^r p^{tf}, & Richard Willan & James Lindsey dēfts, sent unto Vs by way of Appeale ffrom Our Prouinciall Court of Maryland, And finding it not proued by the p^{tf} that Susan his Wife in whose right hee claimes, as heyre att Law to her Brother Abel is heyre to Abell Snow, but are fully satisfyed by the notoriety of the thing, that shee is not, hee hauing a Brother or Brothers of the whole Blood yett lyuing. And finding th^t the s^d Land was fforfeited to Vs by the Act for Deserted Plantations.

ffor by the Coppie of the Record sent unto Vs, & attested by the p^{tf} wee find that the p^{tf} entred his Claime to the s^d Lands as heyre att Law in right of his Wife & Children not untill the Twentith of March One Thowsand Six hund^d ffifty one, And that by the Act for Deserted Plantaōns he ought to haue entred & made his Claime good & payd all arreares of Rent before the ffue & Twentith of March One Thowsand six hund^d ffifty one W^{ch} according to the English acct^{pt} w^{ch} begins the yeare of Our Lord on the ffue & Twentith of March, & according to the true intent and meaning of the sayd Act, was neere a yeare after it should haue bene done, and that the sayd Land was accordingly seized by Vs, and graunted to the defend^{ts}. p. 372

Wee doe Determine that the Plantiffe hath noe Title to the sayd Plantation Gyuen under Our hand and Seale att Armes this Eleauenth day of August One Thowsand six hund^d ffifty and nine

C: Baltemore.

The Court adiorned by the Gouerno^r till munday morning att ii à Clock

Liber
P. C. R. Pnt^e
March 5

Munday 5th of March 1659, as afore.

Josias ffendall Esq^r Gouver^r. } M^r Thomas Gerard } Coth Nathan: Vtye
Philip Caluert Esq^r Secr. } M^r Robert Clearke } M^r Baker Brooke.

To the hon^{bte} the Gouverno^r & Councill.

Re Hutt's Vessel The humble Petⁿ of the Subscribers Wee yo^r Pet^{rs} desyre th^t yo^r hon^{rs} will be pleased to consider our trouble & paynes wee tooke in taking M^r Hutts Vessell, being yett unsatisfyed allowing us satisfaction for our s^d paynes & trouble, & yo^r Pet^{rs} shall euer pray &c:

Richard Morris Thomas Jaruise John Ward Peter Carre Robert Willson fower dayes

John Dowglas Will^m Craford Henry Peere ffiue dayes

Hugh Neale Daniel Johnson Samuel Parker Eight dayes

Ordered uppon the Petⁿ that the Seuerall Pet^{rs} haue Twenty pownds of Tob a day allowed them out of the profit or price of the s^d Vessell.

p. 373
Utie v. Thomas Estate Coth Nathaniel Vtye demands writt of Attatchm^t agst the Estate of Philip Thomas for 1800^t Tob.

Writt to the Sheriffe of Anarundell County to attatch &c: Ret. next Prouinciall Court to be houlden

Utye v. Turney's Estate Coth Nathaniel Vtye demands writt of attatchm^t agst the Estate of Richard Turney for 2500^t Tob:

Calvert v. Bretton Philip Caluert Esq^r dds writt of attatchm^t agst id, for 1000^t.
Clarke v. Bretton Will^m Bretton, dds writt attatchm^t Cont^a. Id. for 1000^t Tob.

Robert Clearke dds writt attatchmt Contrà Id for 365^t Tob.

[There are
no records
from this
date to
December 11
but the
paging is
continuous]

Finis Anni 1659

Philip Calvert.

PHILIP CALVERT, GOVERNOR.

Anno 1660.

Liber
P. C. P.
1660
Dec. 11
p. 374

At a Prouinciall Court held at Robert Kingsberryes at Patuxent the Eleuenth of December 1660

Present Phillip Calvert Esquier Gouvernor Henry Coursey Esquier Secretary, M^r Baker Brookes, M^r Robert Clarckē & M^r John Bate-man.

Was then Read the Instruccōns from his Lo^p the Lord Proprietary for tendring the Oath To the Gouvernor w^{ch} is as followeth vizt Item I Doe hereby authorize Baker Brooke and Henry Coursey gent or either of them to administer in open Court the Oath of our Lieutenant of our said Prouince of Maryland, and also that of our Chancellour there to our Deare Brother Philip Calvert Esq^r, whom wee haue lately Constituted in these two places, And Wee Do also hereby authorize our said Brother to Administer the Oath of a Councillor there in open Court to such as hee hath or shall according to our Commission to him make of our Councell there who haue not formerly taken the same, and Wee will and require you to take Care that the said Respectiue Oathes be duely and tymely administred there accordingly.

Governor's
Oath
[vide 3 Md.
Arch. Coun.
208]

London 16th of September 1660

Signed C: Baltemore.

And according to the said Instruction the said M^r Henry Coursey and M^r Baker Brookes tooke the said Gouvernors Oath w^{ch} followeth in these words (Viz) I Philip Calvert do sweare that I will be true and faith full to the Right Honno^{bte} Cæcilius Lord Baron of Baltemore the true and absolute Lord and Proprietary of this province of Maryland and his heires, and him and them and his and their Rights Royall Jurisdiction and Signiory all and euery of them, in, to and ouer the said Province, and Ilands therevnto belonging will at all tyme defend and maintaine to the uttmost of my power, and will neuer accept of, nor execute any place Office or imploy^{mt} within the said Province any way concearning or relateing to the Gouvernment of the said Province from any person or authority, but by, from or vnder a lawfull authority deriued or to be deriued from tyme to [tyme] vnder the hand and Seale at Armes of his said Lo^p or his heirs or Assignes Lords and Proprietaries of the said Province I will faithfully serue his said Lo^p as his Lieutenant of the said Province, And in all other Offices committed to my Charge by his said Lo^{ps} Commission or Commissions to me, and will willingly yeild vp the said Commission and Commissions againe, and all Offices powers and authorities granted or to be granted by them or any of them into the hands of his said Lo^p and his heires and Assignes, or to such person or persons, as hee or they shall appoint whensoever he or they shall appoint me

Liber soe to doe, and shall signify the same vnto me in tting vnder
P. C. R. his or their hand to putt in execution or attempt to execute any
p. 375 Office power or authority granted vnto me by any of the said Com-
mission or Commissions after that his said Lordship or his heires or
Assignes Lords and Proprietaries of the said province shall repeale
them or any of them respectiue by any writting vnder his or their
hand and Seale at Armes, and that the said repeale be published
with in this province, I will Doe equall Right and Justice to the poore
and to the Rich within the said province to my best skill Judgment
and power, according to the lawes and Ordinances of the said Prov-
ince, And in default thereof according to my Conscience and best
discretion, and the power granted or to be granted to me by his
said Lo^{ps} Commission or Commissions I will not for feare fauor nor
affection, or any other cause lett hinder or delay Justice to any, but
shall truely execute the said Office and Offices respectiue according
to his said Lo^{ps} Commissions to me in that behalfe, and to the true
intent, and meaneing thereof, and not otherwaies to the best of my
vnderstanding and Judgment, I will not knowe of any attempt against
his said Lo^{ps} person or his Right or Dominion, in, to or over the said
province and the people therein, but I will prevent, resist, and oppose
it, with the uttermost of my power and make the same knowne with
all Convenient speede to his said Lo^p, And I will in all things from
tyme to tyme as Occasion shall require faithfully Councell and aduise
his said Lo^p according to my heart and Conscience, And Doe further
Sweare that I will not by my selfe nor any person directly or in-
directly trouble molest or discountenance any person whatsoever in
the said province professing to belieue in Jesus Christ for or in
respect of his or her Religion, nor in his or her ffree Exercise thereof
within the said province. Soe as they be not vnfaithfull to his said
Lo^p or molest or Conspire against the Ciuill Government Established
here vnder him nor will I make any difference of persons in con-
ferring Offices Rewards or ffauors proceeding from the authority
which his said Lo^p hath conferred upon me as his Lieutenant here
for or in respect of their said Religion respectiue, but meere as I
shall find them faithfull and well deseruing of his said lo^p, and to
the best of my vnderstanding endowed with morall virtues and abill-
ties fitting for such Offices rewards or fauors wherein my prime
ayme and end from tyme to tyme shall sincearely be the advance-
ment of his said Lo^{ps} service here, and the publick vnity and good of
the Province without partiallity to any, or any other sinister end
whatsoever, And if any other Officer or person whatsoever shall
during the tyme of my being his said lo^{ps} Lieutenant here without
my consent or priuity molest or disturbe any person within this
Province professing to belieue in Jesus Christ, meere for or in
respect of his or her Religion, and the ffree Exercise thereof, Upon
notice or Complaint thereof power and authority to relieue

and Protect any person soe molested or troubled whereby hee may haue right don him for any damage which he shall suffer in that kind, And to the uttmost of my power will cause all and euey such person or persons as shall molest and trouble any other person or persons in that manner to be punished I will faithfully serue his lo^p as his Channcellor and Keeper of his Great Seale of the Province comitted to my charge and Custody of his said Lo^{ps} Commission to me, to the best of my skill and vnderstanding. I will cause the impression in wax of the said Seale to be affixed to all such things as I haue or shall from tyme to tyme receiue Comission or Warrant for soe doing from his said Lo^p under his hand and Seale at Armes, and that it shall not be affixed to any other writting or thing whatsoever directly or indirectly with my privity Consent or knowledge I will doe my best endeouour carefully to preserue the said Great Seale in my Custody soe long as it shall please his said lo^p to continue me in the Charge and keeping thereof, to the end that it may not be lost stollne or vnlawfully taken from me, and whereby any other person may affix the impression thereof vnto any writteing or thing whatsoever without authority for soe doing lawfully deriued or to be deriued from by or vnder a Commission or warrant vnder his said Lo^{ps} hand and Seale at Armes, And that I will truely and faithfully deliuer up againe the said Great Seale into the hands of such person or persons as his said Lo^p, or his heires shall appoint when his or their pleasure for that purpose shalbe signified vnto me vnder his or their hand and Seale at Armes, Soe helpe me God and by the Contents of this Booke.

Liber
P. C. R.
p. 376

And after the said Henry Coursey tooke the seuerall Oathes of a Councillor and Secretary as followeth

The Oath of a Councillor of State in Maryland

I. A. B doe sweare that I wilbe true and faithfull vnto the Right honno^{ble} Cæcilius Lord Barron of Baltemore the true and absolute Lord and Proprietary of this Province of Maryland, and his heires, and him and them, and his and their Rights Royall Jurisdiction, and Siginory all and euey of them in to and over the said Province and Ilands therevnto belonging, will at all tymes defend and maintaine to the uttmost of my power, And will neuer accept of nor execute any place Office or employment within the said Province any way concerning or relating to the Government of the said Province from any person or authority, but by from or vnder a lawfull authority deriued or to be deriued from tyme to tyme from his said Lo^p or his heires Lords and Proprietaryes of the Province vnder his or their hand and Seale at Armes, The Peace and welfare of the People of this Province I will euer procure [as] farr [as] I can, I will ayde and assist the administring and execution of Justice in all things to my power. To none will I delay or deny Right for feare fauor

Counsellor's
Oath
[vide 3 Md.
Arch. Coun.
213]

p. 377

Liber
P. C. R. or affection, I will to my best skill, and according to my heart and Conscience giue good and faithfull Councell to the said Lord and Proprietary and his heires, and to his and their Lieutenant or Chiefe Governor of this Province for the tyme being when therevnto I shalbe called, I will keepe secrett all matters committed, or revealed vnto me, or which shalbe moued or debated Secretly in Councell, and faithfully declare my minde and opinion therein, according to my heart and Conscience, And if any of the said Treaties or Councells shall touch any of the privy Councillors of this Province I will not reveale the same vnto him soe touched or Concearned, but will keepe the same Secrett vntill such tyme as by the Consent of the Lord Proprietry or his Lieutenant or Chiefe Gouvernor here for the tyme being publication shalbe made thereof, I will also as a Councillor and as a Justice and Commissioner for the Conservation of the Peace of this Province Doe equall Right vnto the poore and to the Rich to the best of my vnderstanding & Judgment according to the Lawes from tyme to tyme in force within this Province, And in default thereof according to my best discession, And gennerally in all things will doe as a faithfull Councillor to the said Lord Proprietary. And I doe further sweare I will not by my selfe nor any other person directly, or indirectly trouble molest or discountenance any person whatsoever in the said Province professing to belieue in Jesus Christ for or in respect of his or her Religion nor in his or her ffree Exercise thereof within the said Province so as they be not vnfaithfull to his said Lo^p nor molest or Conspire against the Ciuill Government Established here vnder him Soe helpe me God and by the Contents of this Booke

Secretary's
Oath
[vide 3 Md.
Arch. Coun.
218]

The Oath of the Lord Proprietaryes Secretary in Maryland.

I A. B. Do sweare that I wilbe true and faithfull to the Right honnorable Cæcilus Lord Baron of Baltemore the true and absolute Lord and Proprietary of this Province of Maryland, and him and them, and his and their Rights Royall Jurisdictions Signiories, and all and euery of them in, to and over the said Province and Islands therevnto belonging will at all tymes defend and maintaine to the uttmost of my power, and will neuer accept of, nor execute any place office or employment within the said Province any way concerning or relateing to the Gouvernment of the said Province from any person or authority, but by from, or vnder a lawfull authority deriued or to be deriued from tyme to tyme from his said Lo^p or his heires Lords and Proprietaryes of the said Prouince vnder his and their hand and Seale at Armes. I will serue him faithfully as his Secretary in the said Province. To none will I wittingly or willingly delay or deny Right in what belongeth to my Office or Offices . . . matters
p. 378 to be by me recorded without falsification or Corruption for feare fauor or mallice of any person whatsoever to the best of my ability

and vnderstanding Soe helpe me God and by the Contents of this booke: Liber
P. C. R.

M^r John Bateman tooke then likewise the said Oath of Councillor, Counsellor's
Oath
And then was also taken by Peter Bathe the ensuing Oath, Vizt.

The Oath of the Clarke of the Prouinciall Court. Clerk's
Oath

I A B Doe faithfully Sweare that I will serue the Lord Proprietary of this Province of Maryland as Clarke of the Prouinciall Court. To none will I wittingly or willingly deny Right in what belongeth to my Office or Offices to doe True Record I will keepe of Judgments and all other matters to be by me Recorded without falsification or Corruption for feare fauor or mallice of any person whatsoever to the best of my abillity and Vnderstanding, Soe helpe me God and by the Contents of this Booke

It is ordered that All Acts and Orders entred in the tyme of the defection of the Government from his Lo^p being the fifth of March 1659 Be null and of noe force and that the same be forthwith razed, Order for
razing all
acts made in
the tyme of
defeccōn of
the
Gou^rnment
and torne from among the Records.

Then was Read the Petition of Elizabeth Abrahams and the Petition of her husband Isaack Abrahams, w^{ch} Pet^{ns} are as followeth, Re Read's
Estate
(Vizt)

To the Honno^{bte} Gouvernor and Councill of Maryland

The humble request of Elizabeth Abrahams is that my husband Isaack Abrahams should administer upon Thomas Reads Estate who was my late husband, and dyed without Will

The marke of E Elizabeth
Abrahams.

To the honno^{bte} Gouvernor and Councill of Maryland

The humble Petition of Isaack Abrahams married the Relict of Thomas Read who dyed intestat to haue letters of Administration upon the Estate of the said Thomas Reade And hee shall pray &c.

And thereupon It is ordered that Letters be granted of Administration to the said Isaack Abrahams of the Estate of Thomas Reade deceased.

Capⁿ Samuell Tilghman by his Attorney M^r James Langworth demands warr^t ag^t John Bateman return this Court in an accōn of Tilghman v.
Bateman
2000^l Tob & Cask

Warrant issued accordingly to the Sherriffe of Calvert County

Liber
P. C. R. The plantiffe nor his Attorney appearing, It is referred to the next
Prouinciall Court to be holden at S^t Maryes the primo Dec. 1660

p. 379
Harris v.
Bateman John Harris of London marchant by his Attorney M^r Henry
Coursey demands a warrant ag^t John Bateman in accōn of debt of
two thousand fve hundred Pounds of Tob and Caske.

A lēre missive issued thereupon retorn to the Prou^l Court to be
11 Dec. 1660 holden at Patuxent the 11th of December 1660

This Cause is referred to the next Prou^l Court to be holden at S^t
Maryes the Nynteenth of ffebr next.

4 Dec. 1660
Sadler v.
Bateman
Adminr Giles Sadleir demands a lēre of missive ag^t John Bateman Adm^r
of Thomas Belcher dec^d to appeare at the Prou^l Court to be houlden
at Robert Kingsberryes the 11th of December following to answee
his suite in accōn of the Case.

A letter missive accordingly issued to the Sherr of Calvert County.
Vid. petn
fo: 382 Whose Petition being read at this Court, The Judgment of the Court
is that the Petitioner should doe the matter in the Petition specified
Ex Officio.

3 Dec: 1660
Bateman
v. Anderson John Bateman Esquier demands a warr^t ag^t John Anderson in an
action of the Case to the vallue of three thowsand fve hundred
Eighty Nyne Pounds Tob and Caske

Warr^t then issued retorn to this Prou^l Court the 11th of December
1660 to the Sherriffe of Calvert County.

11 Dec: 1660 Vpon reading of the plantiffes Petition in presence of both parties
plantiffe and defendant, The defendant haueing confessed the Ac-
compt and the abatement allowed. It is ordered that the defend^t
pay vnto the plantiffe the remain being two thowsand Seuen hundred
and Nynty Pounds of Tob & Cask with Costs of Suite, Execucōn
issued 25 Marcij 1660

Yow v.
Anderson Hugh Yow by his Attorney John Bateman demands a warrant
against John Anderson in an action of debt for 9^t sterling due by
Bill dated the 3^d of May 1658 and payable at a day now past

Warrant inde issued retornable to this Prouinciall Court this
Eleuenth of December 1660 to the Sherr of Calvert County.

And vpon reading of the said Bill, The said Anderson confessed
in open Court the same to be due. It is therefore ordered that the
said Anderson shall pay the said Nyne pounds sterling money to the
said Hugh Yow or his order with Costs of suite. Execution issued
25 Marcij 1661

James Scapes demands of John Bateman Administrator to Thomas Belcher deceased Eight hundred fforty ffower pounds of Tobacco and Caske due to him from the said Thomas Belcher by bill dated the second of June 1659, payable the tenth of October then following.

Liber
P. C. R.
Scapes v.
Bateman
Adminr

Vpon reading of the said Bill in Court, and in regard the defendant confessed the said debt to be due It is therefore ordered that the defend^t John Bateman shall forthwith pay the said sume of 344^t Tobacco and Caske with Costs of Suite to the plaintiffe.

John Bateman this 3^d of December 1660 demands a warr^t to arrest John Anderson at his suite to appeare at this Prou^{ll} Court the 11th of December 1660 to answer in an action of trespass

Bateman v.
Anderson
p. 380

Warrant inde issued to the Sherriffe of Calvert County retornable vt supra.

Then (vizt) 11^o Dec 1660 The ensuing Petition was read To the honno^{ble} the Gouvernor and Councell of the Province of Maryland. The humble Petition of John Bateman Sheweth that John Anderson hath much to the damage of your Petitioner twice come vpon your Petitioners land, and broke up his Tobacco, and there paid and rowlled away Tobacco not properly his owne, for w^{ch} I desire Order for my damage as your honnors shall thinke fitt and I shall humbly pray: 11th of Dec: 1660.

[paid may
be carelessly
written for
prized]

Signed John. Bateman

Vpon reading of w^{ch} petition and consideration therof had The Court thought fitt and haue soe ordered that this Cause be referred till the next Prouinciall Court to be houlden the Nynteenth of ffebruary next.

John Whiston demanded a writt ag^t Richard Bently in an action of debt of fve hundred and Eight pounds of Tobacco retorn to this Provinciall Court: w^{ch} issued accordingly To w^{ch} the defendant appeared, and then the ensuing Petition was read vizt

8 Dec. 1660
Whiston v.
Bently

To the honorable Gouvernor and his Councell, The humble petition of John Whiston. Most humbly sheweth that Richard Bently Cooper is indebted vnto your Petitioner the iust sume of fve hundred and Eight pounds of good Tobacco and Caske now due as may by bill further appeare. Therefore your Petitioner humbly desireth an order for the same, And your Petitioner shall as bound Euer pray. And the said Bill was then also read, and the said Richard Bently confessing the debt aforesaid

It is ordered that an Execution issue ag^t the said Bently at the plantiffes suite for payment of the said fve hund^d and Eight Pounds with Costs of Suite.

Liber
P. C. R.
Primo Dec. 1660 Walter Pakes demanded a writt ag^t Thomas Hughes Cooper in an action of debt of two thowsand pounds Tob and Caske retorn to this Prouinciall Court.

Warrant issued to the Sherriffe of Saint Maryes County accordingly whereupon the said Sherr returned the same executed. And then at the said Court the 11th of December 1660 the plantiffes demand for one thowsand Pounds of Tob by Bill . . . Pounds of Tobacco and Caske by accompt was by the defendants Attorney Peter Bathe confessed to be due. It is therefore ordered by the said Court that the dēft shall pay vnto the plantiffe ffowerteene hundred and Sixty pounds of Tob and Caske with Costs of Suite. Execution issued accordingly

3 Dec. 1660
Bateman
Adminr v.
Pauldin
et al. John Bateman Administrator of the goods Chattles & debts of Thomas Belcher deceased demanded a warrant ag^t Jane Pauldin James Atkinson and Suesanna his wife for the ffellonious stealing of the goods of the said Thomas Belcher retorn to the said Court 11 Dec. 1660.

Warrant inde issued the Sherriffe of Calvert County accordingly W^{ch} being returned executed, and the parties appearing in Court It is ordered that the said Sherriffe of Calvert County keepe them in safe Custody vntill they giue in Security personally to appeare at next Prouinciall Court to be houlden at Saint maryes on the Eleuenth of ffebruary next to answer for the said ffellonious stealing of the goods of the said Thomas Belcher.

John
Bateman
v. Robert
Patrickson
John
Bagby and
W^m Mills Vpon the reference of this Court dated the 29th of ffebruary 1659 in this Cause to the now sitting of this Court

It is ordered that a Warrant issue to the Sherriffe of Calvert County to impannell a Jury of twelue men of the Neighbourhood, and authorizing him to sweare them and such wittnesses as shalbe necessary to inquire which is Saint Nicholas Creeke, and the head and old path thereof, and whither the same be included in a Pattent granted by his Lo^p the Lord Proprietary vnto Captaine Thomas Cornwaleys Dated the 24th of March 1650 and the proceedings thereupon to retourne to this Court the first day of its sitting at Saint Maryes being on the Nynteenth day of ffebruary next, And warrant issued to the said Sherriffe accordingly signed by Hen Coursey Secr. Dated 12 Dec. 1660.

1 Dec. 1660
Joy v.
Nevill Peter Joy demands a writt ag^t John Neuill in an action of the Case retornable to this Prouinciall Court on the 11th of Dec. 1660.

Warrant inde to the Sherriffe of Calvert County retorn ut Supra. Sub^{pa} issued ag^t Philip Conner and Thomas Pouett to testify in ditt Ca^a.

11 Dec. 1660 Both parties not appearing this Cause is non suited

Richard Bently viij^o Dec 1660 demanded a writt ag^t Samuell Graues to appeare the 11th of December following to answeare in an action of debt

Liber
P. C. R.
Bently v.
Graves
8 Dec. 1660

Warrant inde issued to the Sherriffe of Calvert County retorn Court vt supra.

The humble Petition of Richard Bently, Sheweth that Sam Graues is indebted to your Petitioner two hundred Eighty Seuen pounds of Tob by accompt, humbly Craues order with Costs, And he shall pray &c and 195^t of Tob. p. 382

The Plantiffe Richard Bently being sworne to his accompt and the defendant Samuell Graues owneing an accompt to be due to the p^{ht}. It is ordered by this Court that the defend^t shall pay to the p^{ht} fflower hundred and Seventeene pounds of Tob and Caske (with Costs of Suite) w^{ch} appeared to be due.

Ignatius ffenwick came this day and Chose Baker Brooke Esq^r for his Guardian.

11 Dec. 1660
Re
Fenwick's
Guardian

To the honno^{ble} the Gouvernor and Councell for the Province of Maryland

Re
Gwyther's
Fees

The humble Petition of Nicholas Guyther

Humbly sheweth that your Petitioner the last Prouinciall Court was ordered that the ffees relateing to the imprisonment of Mary Clocker &c. were to be paid out of his Lo^{ps} Revenue, And whereas the Assembly then sitting in the same Case with John Williams and his wife did order the fees due from them to be paid out of that County wherein they were attainted.

Now The humble request of your Petitioner is to haue the Judgment of this Court where the said ffees for imprisonment as afore-said shall iustly accrew, And your Pet^r as in duty bound shall euer pray.

The Petitioner is to be satisfied out of Saint Maryes County when he shall bring in his accompt to be leuyed with the publick leuyes.

To the honno^{ble} Gouvernor & his Councell for the prouince of Maryland

Sadler v.
Bateman
Vid. Judgmt
of the Court
fo: 370

The humble Petition of Giles Sadlier

Most humbly sheweth that whereas John Bateman Esq^r Administrator of the Estate of Thomas Belcher deceased Did comānd your Petitioner to call a Court by vertue of the said Batemans warrant issued the 25th of December past for the which paines and dilligent Care in the execution thereof your Pet^r demanded satisfaction of the said Bateman who refuseth to make me your humble Petitioner satisfaction without your honnors approbation, the which being

Liber taken into serious Consideration by your honnor your pet^r humbly
P. C. R. craueth your honnors to consider his indigence, and to grant him an
order for satisfaction according to Custome to precedent Officers.
And your Pet^r shall as bound Pray.

Keene v. Henry Keene demanded a warrant the 8th of December 1660 ag^t
Waring Sampson Warren in an action of debt
Warrant then issued to the Sherr of Calvert County retorn to this
Court 11 Dec 1660 Ended.

Hobbs v. John Hobbs Cooper by his Attorney Thomas Turner demanded
Gottley the 18th of Nouember 1660 a writt of Attachment ag^t the Estate and
p. 383 goods of John Gottley ats Dowle to the vallue of thirteene pounds in
the possession of M^r Thomas Gerrard Attachment issued to the
Sherriffe of Saint Maryes County accordingly, vpon w^{ch} the said
Sherriffe retourned the same executed to this Court 11 Dec. 1660.
And both parties plt and dēft not appeareing nor any for them this
Cause was nonsuited

Penny v. Henry Penny by his Attorney Peter Joy the 1st of December 1660
Cornwaleys demands a warr^t ag^t John Abington Attorney for Captaine Corn-
waleys in an action of the Case.
Warrant then issued to the Sherr of S^t Maryes County retorn to
this Prou^{ll} Court 11 Dec: 1660.
And the plt nor his Attorney appearing to prosecute, This Cause
is nonsuited.

1 Dec. 1660 A warrant issued upon demand to the Sherriffe of Calvert County
Daniel retorn to this Court the 11th of December 1660 in an action of 620^t
Pensar v. of Tob and Caske debt due to the plt, vpon w^{ch} warrant the said
George Beckwith Sherr retourned the same executed.

High v. Robert High demands a warrant the 29th of Nouember 1660
Bisse against Thomas Bisse in an action of the Case.
Warrant then issued to the Sherriffe of Calvert County retorn
to this Court 11 Dec 1660.
vpon w^{ch} warrant the said Sherriffe retourned the same executed.
And the plt nor any for him appearing to prosecute. This Cause
was nonsuited.

Harris v. M^r John Harris marchant this 8th of December 1660 demands a
Adams warrant against James Adams in an action of debt.
Warrant then issued to the Sherriffe of Calvert County retorn to
this Court the 11th of December 1660
Vpon w^{ch} warrant the said Sherriffe retourned the same executed

William Turner this first of Dember 1660 demands warrant against Patriarke Dew the Attorney of John Grammer in an action of debt. Liber
P. C. R.
Turner v.
Grammer

Warrant then issued to the Sherriffe of Caluert County retorn to this Court the 11th of Dec 1660.

William Harper the first of december 1660, demands warrant against Mathew Smyth in an action of the Case Harper v.
Smyth

Warrant then issued retorn to this Court the 11th of December 1660 to the Sherriffe of Calvert County

Vpon a warrant directed from the honno^{ble} Phillip Calvert Esq^r Gouvernor to the Sherriffe of Calvert County to inquire by a Jury upon the Corps of Catherin Lake, The said Sherriffe retourned to this Court as followeth vizt p. 384
Return of
Jury on
Corpse

According to the tennor of a writt to make dilligent Search and inquiry upon the Corps of Catherin Lake directed to Giles Sadleir Sherriffe there was a Jury of Twelue men namely

William Euans fforeman	} {	William Richardson	} W ^m Euans chosen Imp ^r .
William Turner		Thomas Ireton	
George Bussy		Phillip Coomes	
John Sinklow		Patriark Dew	
William Sample		James Allen	
Robert Kingsberry		William Chaplin	

The Declaration of William Sankeh Richard Gardner W^m Palmer, John Meeres, Thomas Cosby.

All Servants of the howse and Present when Thomas Mertine shoved the said Catherine Lake with his hand on the Shoulder and also gaue her a Kick upon the britch, and the said Lake being troubled with the ffitts of the mother fell into the said ffitts as formerly, and soe departed this world within one hower.

The Juryes Verdict aboue named is that at the viewe of the Corps aboue mentioned they found it very cleare, and caused the said Thomas Mertine and the Servants of the howse to ley their hands upon the dead Corps, and there was noe issue of bloud from the Corps, neither could they perceiue any alteration in the Corps or any action from any personall man that was the Cause of her Death but the providence of the Allmighty

p me William Ewen

The Court is a[d]iourned to the 19th of ffebruary next ensuing at Saint Maryes. Adjourn-
ment of
Court.

Richard Smyth Came this day being the 19th of December 1660 and demands the ensuing Indentures to be recorded among the Records of the Prouinciall Court, in regard hee is to send them to Richard
Smith v.
William
Battin

Liber
P. C. R. Virginea vizt This Indenture made the Eight day of August in the
yeare of our Lord one thowsand Six hundred ffifty and Nyne Be-
tweene Richard Smyth of Potomocke in the Iland of Virginea in the
parts beyond the Seas Planter on th one parte, And Thomas Allison
son of Thomas Allison of Gaston in the County of Lancaster hus-
bandman on thother parte. Wittneseth that the said Thomas
Allison doth Covenant promise and grant to and with the said
Richard Smyth his Executors and Assignes by these presents from
the day of the date hereof vntill his first and next arrivall in the
Iland of Virginea aforesaid, and after for and during the tearme of
Seven yeares to serue, in such service and imployment as he the
said Richard Smyth, or his Assignes shall there imploy him accord-
ing to the Custome of the Countrey in the like kind, In consideration
whereof the said Richard Smyth doth hereby Covenant and grant
p. 385 to and with the said Thomas Allison to pay for and lodging
with other necessaries during the said tearme, and at the end of the
said tearme to pay the said Thomas Allison two suites of Apparrell,
three Barrells of good marchantable Corne and fifty acres of land.
In wittnes whereof the said parties to these present Indentures haue
interchangeably sett their hands and Seales the day and yeare aboue-
said

Signed Richard Smyth

Sealed and deliuered in presence of vs Andrew A Dickinson his
marke, George fflouke his marke X Locus Sigilli X

Bristoll
Locus
Sigilli
Inrolled
upon
Record
according
to the
Custom of
the said
Citty
This Indenture made the 24th day of August in the yeare of our
Lord 1659 betweene Richard Smyth of Virginia Planter of the one
parte And Margaret Williams of Bristoll Spinster of the other parte,
Wittneseth that the said Margaret doth hereby Covenant promise
and grant to and with the said Richard his Executors & Assignes
from the day of the date hereof, vntill her first and next arrivall at
Virginea, and after for and during the tearme of fflower yeares to
serue in such service and imployment as the said Richard or his As-
signes shall there imploy her, according to the Custome of the
Countrey in the like kind. In Consideration whereof the said
Master doth hereby Covenant and grant to and with the said Servant
to pay for her passing, and to find and allow her meate, drinke, ap-
parrell and lodging with other Necessaries during the said tearme,
And at the end of the said tearme to pay vnto her One Ax one Howe,
double Apparrell fifty acres of land one yeares provision according
to the Custome of the Countrey In wittnes whereof the parties
abouenamed to these Indentures haue interchangeably sett their
hands and Seales the day and yeare aboue written

Sealed & dd in p^sence of Geo.

Md worth

Hawkins

The marke of Margaret Williams

Vpon w^{ch} Indenture The ensuing Assignment was written I Richard Smyth doe assigne vnto John Powell the Maide Seruant aboue-
said with the Right of the Indenture, As Wittnes my hand the
fifth of Nouember 1659

Liber
P. C. R.

Richard Smyth

Wittnes William Thomas Sam Bonam

This Indenture made the 29th day of August in the yeare of our Lord one thowsand Six hundred fifty and Nyne, Betweene Joseph Bishop of the City of Bristoll Sherman of th' one parte and Richard Smyth of the Iland of Virginea of the other parte, Wittnesseth that the said Joseph doth hereby Covenant promise and Grant and with the said Richard his Executors and Assignes from the day of the date hereof vntill his first and next arrivall in Virginea, and after for and during the tearme of fflower yeares to serue in such service and imployment as the said Richard or his Assignes shall there imploy him according to the Custome of the Countrey in the like kind, In consideration whereof the said Master doth hereby Covenant and grant to and with the said Servant to pay for his passing, and to find and allow him meate drink Apparrell and Lodging with other necessities during the said tearme, and at the end of the said tearme to pay unto him one Ax, One Howe, one yeares prouision double Apparrell fifty acres of land according to the Custome of the Countrey In wittness whereof the parties abouenamed to these Indentures haue interchangeably sett their hands and Seales day and yeare abouewritten

Bristoll
Locus
Sigilli X
Inrolled
upon
record
according
to the
Custome
of the said
Citty

p. 386

Joseph Bishop Locus Sigill X

Sealed and deliuered in the presence of Andrew Hay

Vpon w^{ch} Indenture the Ensuing Assignm^t was written I the Subscribed doe assigne vnto John Powell the man servant abouenamed vizt Joseph Bishop, and also the Right of this Indenture As Wittnes my hand this 5th of Nouember 1659

Wittnes W^m Thomas Sam Bonam. Signed Richard Smyth.

The Said Richard Smyth demands the Ensuing Depositions to be likewise entred on Record (vizt)

Owen Jones aged of Twenty yeares or thereabouts haue bene examined an[d] sworne on the Betweene Captaine William Batten of one side, and Richard Smyth I doe declare that Richard Smyth did ship three Seruants aboard the Ship Leopard entred in the Boston booke their names followeth Joseph Bishop. Thomas Allison Margaret Williams on the accompt of Richard Smyth, I neuer heard that Capⁿ Batten had intrust in these Servants neither doe I knowe, And further saith not. As wittnes my hand this 17th of ffebruary 1659

By me Owen Jones

Sworne before me Daniell Lisseon

Liber
P. C. R. The Deposition of William Hardy aged Six and twenty yeares
or thereabouts sworne and examined this 10th of ffebruary 1659
Saith That Richard Smyth brought three Servants aboard the Ship
called the Leopard, and I entred their names in my booke as his
proper Servants whose names are as followeth Jos Bishop Thomas
Allenson Margaret Williams, neither did I euer heare that Capⁿ
Batten had any intrest in them Signed W^m Hardy.
Taken before me Charles Ashton.

Richard Smyth demands a writt to arrest William Battin to an-
swere his suite at the next Prou^{ll} Court in an action of the Case,
Warrant thereupon issued Dated the 20th of December retorn 19
ffebruary following to the Sherriffe of

Calvert v.
Stone William Calvert Esquier by his Guardian the Right honno^{ble} the
Lord Proprietary demands a writt ag^t Thomas Stone in an action of
trespass to the vallue of one hundred thowsand Pounds Tob & Caske
Writt thereupon issued to the Sherriffe of Saint Maryes County
dated 20 Decembris retorn 19^o ffebruary following.
Subpœna likewise issued ad testificaind in the said Cause for
W^m Bretton.

p. 387
Bouling v.
Anderton James Bouling demands a writt at his suite against John Anderton
in an action of the Case.
Writt issued dated 17 Decembris to the Sherr of Calvert County
retorn 19 ffebruary following.

Hughes v.
Stone William Hughes demands a writt at his suite ag^t Thomas Stone in
an action of the Case
Writt issued dated 28 Decembris retorn 19 ffebruary following
to the Sherriffe of Charles County.

Cornwaleys
v. Micheels Captaine Thomas Cornwaleys demands a warrant against Jacob
Micheels at his suite in an action of 5500^t Tob.
Writt issued dated the 13th of December 1660 retorn 19 ffebr
following directed to the Sherriffe of Baltimore County.

Pakes v.
Hammond Walter Pakes demands a writt at his suite against M^{rs} Ann Ham-
mon in an action of the Case to the vallue of 4000^t Tob
Writt issued dated 15 Dec. to the Sherr of Saint Maryes County
retorn 19 ffebr following.

Pakes v.
Clark Walter Pakes demands at his suite a Sumons ag^t Robert Clark
Esq^r in an action of the Case
Letter Missive issued dated 15 Dec retorn 19 ffebruary following.

Thomas Burdett demands a writt ag^t Capⁿ Robert Morris in an action of defamation

Liber
P. C. R.
Burdett v.
Morris

Writt issued 18 Dec retorn 19 ffebruary following to the Sherr of Calvert County.

William Calvert Esquier by his Guardian the Lord Proprietary demands a writt against Verlinda Stone Relict and late wife of Capⁿ W^m Stone deceased in an action of trespass to the vallue of

Calvert v.
Stone

Writt issued dated 28 Dec retorn 19 ffebruary following to the Sherriffe of Charles County.

John Cockerell demands a warrant at his suite ag^t Jacob Lombrozo in an action of the Case

Cockerell v.
Lumbrozo

Writt issued to the Sherr of Saint Maryes County dated 1^o January retorn 19 ffebruary following

Subpœna ad testificand directed to the Sherr of Calvert County for Mathew Smyth Jonathan Prator, and Sampson Warren in the said Cause retorn eod die.

Daniel Clocker demands a warrant at his suite ag^t Thomas Warden and W^m Martyn in an action of trespass to the vallue of 300^t Tob

Clocker v.
Warden
et al.

Warrant inde to the Sherr of S^t Maryes County dated 3 January, retorn 19 ffebruary following.

Augustine Herman marchant came this day and demanded the ensuing to be entred on Record (Vizt) To all Christian People to whom these presents shall come Robert Slye of Saint Clements Mannor in the Province of Maryland marchant Sendeth Greeting in the name of our Lord God Everlasting this tenth day of Nouember in the yeare of Grace one thowsand Six hundred and Sixty, and in the twelth yeare of the Raigne of our Soueraigne Lord King Charles the Second &c. Whereas matters of difference debate and Controversy haue rissen and happened betweene m^r Augustine Herman Marchant and M^r Symon Overzee deceased, and now is become of Concearnment vnto M^{rs} Elizabeth Overzee as Successour and Administratrix to the said M^r Overzee her deceased husband for pacifying ordering and ending whereof M^r John Bateman and M^r Henry Meese Marchants were mutually chossen by the aforesaid parties M^r Augustine Herman and M^{rs} Elizabeth Overzee to arbitrat and deside the Controversies aforesaid in Case they had agreed therein, but the said Arbitrators differing in their Judgments about the said buisnes the said M^r Augustine Herman and M^{rs} Elizabeth Overzee haue bound themselues each to other in a Bond of One thowsand pounds sterling to stand also to the Vmpiradge and award of Robert Slye aforesaid as by the said Obligations and Condicōns doth and may at large appeare.

7 January
1660
p. 388
Herman v.
Overzee

Liber
P. C. R.

Knowe yee therefore that the said Vmpire takeing upon him the charge and burthen of the said Vmpirage or award, and haueing taken due and serious deliberation in considering the matters of difference betweene the concearned parties before mentioned I doe by these presents deeme Judge order and award in reference to the premisses in manner and following that is to say, ffirst that M^{rs} Elizabeth Oversee her Executors or Adm^{rs} or some of them shall well and truely pay or cause to be paid vnto M^r Augustine Herman marchant or to his certaine Attorney Executors or Administrators or some of them fiftene thowsand pounds of good sound well conditioned Tobacco and Caske (according to the lawe of the Countrey in that Case provided) as also Six thowsand Pounds of good marchantable neate Porke, Which payment both for tyme and places is to be performed as is hereafter expressed, that is ten thowsand pounds of the said Tobacco and Caske, and ffower thowsand pounds of the said porke to be paid conveniently in Potomacke Riuer, Patuxent or both in twelue seuerall places at the most and by the last day of January next ensuing at the furthest

Secondly the said Vmpire doth order deeme and award that the other fife thowsand Pounds of Tobacco, and two thowsand Pounds of Porke for the makeing up of the aforesaid quantity of fiftene thowsand Pounds of Tobacco and Caske and Six thowsand Pounds of Porke shalbe well and truely paid by the said M^{rs} Elizabeth Oversee her Executors Administrators or Assignes to him the said M^r Augustine Herman his Executors Administrators or Assignes by the last day of Nouember in the Thirdly in case M^r Augustine Herman make appeare that hee hath paid M^r Overzee his Bill of Exchange of one hundred Gilders to Abraham Johnson then M^{rs} Overzee is awarded to pay M^r Augustine Herman seuen hundred and Eighty Pounds of Tob and Caske in liewe thereof. It is also deemed, ordered and decreed by the said Vmpire that the Anker and Grapling be paid for according to the true vallue thereof, M^r Augustine Herman makeing sufficient prooffe that M^r Oversee disposed of them for his owne priuat use, Likewise that M^r Augustine be allowed one hundred pounds of Tobacco for the Case of wine that hee paid to M^r White for freight of M^r Oversee his Caske and other goods in the barque Susannah.

ffowerthly It is ordered and awarded that M^r Augustine Herman commence a Suite against M^{rs} Overzee, and that shee confesse Judgment for twenty one thowsand pounds of Tobacco and Porke, and that shee pay the Court Charge, likewise that shee acknowledge Judgment for what M^r Augustine Herman can make appeare due in reference to the Bill of Exchange Anker, Graplin, and Case of wine, and that she pay the charge of Court for that also

Fiftly I award that if there be loss in the two bills one of Phillip Lands the other of M^r Rosiers M^{rs} Overzee ought to beare it, and

that because the Contract makes prouision for the intrusting of such persons onely as were at least supposed to be sure paymasters, and these men were well knowne to M^r Oversee to be otherwise Neither are the bills marked with the Copartners marke, wherefore I order they be againe retourned to M^{rs} Overzee yet shee to allow M^r Augustine nothing in consideration thereof, but what he is before awarded

Liber
P. C. R.

Sixtly I the said Vmpire doe Order and decree that M^r Augustin Herman, and M^{rs} Elizabeth Overzee doe forthwith giue acquittances Each to other to determine all doubts and Controversies in reference to all former dealings betwixt M^r Augustine Herman and M^r Symon Overzee or his widdow M^{rs} Elizabeth Oversee, excepting onely what is specified in this present award, which is to continue firme and irrevokable vntill the same be effectually performed in all the parts and clauses thereof, and is for the reconciling all differences and putting a period to all doubts betweene the parties aforesaid. In testimony whereof I haue herevnto sett my hand and Seale the day and yeare first abouewritten.

(Vntill the same be effectually performed in all the parts and clauses thereof, was interlyned before the signing and sealing thereof)

Signed Rōbt Slye

Wittnes Samuell Vampken John  Greene his marke.

The said Augustine Herman marchant demanded the ensuing discharge to be entred among the Provinciall Records vizt

7 January
1660
p. 390

These presents Wittnesseth that I Augustine Herman marchant Doe hereby discharge and acquitt M^{rs} Elizabeth Oversee, from all Claimes Bills, Bonds Accompts and Controversies concearning any manner of dealings and Negotiations formerly had betweene M^r Symon Oversee her deceased husband and me from the begining of the world to this present day, Except a Bond of Arbitration and award of Vmpiradge with the security therevnto relateing, w^{ch} are to be performed As wittness my hand this Seuenth of January One thowsand Six hundred and Sixty

Signed Augustine Herman

Signed and deliuered in presence of vs Peter Bathe W^m Brereton.

Mary Clocker mother to Thomas Courtney with her husband Re Courtney Daniell Clocker came this day being the Seuenth of January 1660, and desired to haue entred among the Records that shee does freely giue vnto her said Sonn liberty to doe for himselfe, being now of the age of Nynteene yeares and doth release what power shee hath ouer him as his Guardian to the end hee may doe for himselfe hereafter

Liber
P. C. R.
marke of
Cattle
Daniell Clocker thelder came this day b[e]ing the 7th of January 1660, and demands the markes of the Cattle hereafter mentioned in manner hereafter expressed which do belong on to his Children to be entred on Record vizt

The marke of the Cattle giuen by the said daniell thelder to his daughter Elizabeth is the Right Eare swallow tailed, and the left Eare two Slitts, and a piece of the Slitt Cutt of in the upper side of the Eare

The marke of Daniell Clocker the younger son to the said Daniell the elder is two slitts in the left Eare and a piece Cutt of one of the Slitts next the horne.

The said daniell Clocker thelder hath giuen to his daughter Mary Clocker a Cowe marked with his owne marke, and the increase for Euer Colloured Browne with a broken horne about Six yeares old, & her marke to be the left Eare swallow tailed & the Right Eare Two Slitts and a piece of the Slitt cutt of in the vpper Side of the Eare.

The said daniell Clocker thelder hath likewise giuen to his Son John Clocker one Heifer three yeares old the next March with his owne marke and the Encrease for euer & his mke hereafter to be two Slitts in the Right Eare and the upper piece Cutt of, and the left Eare vnderkeeled

p. 391 The within named Daniell Clocker thelder hath likewise giuen to his daughter Catheryn one Heifer, about three yeares old next March marked with his owne marke & the encrease for Euer, her marke hereafter to be two slitts in the Left Eare & the upper piece Cutt of, and the Right Eare vnderkeeled.

10 January
1660
Herman v.
Overzee
Augustine Herman came this day and demanded writt to arrest Elizabeth Overzee widdow in an action of debt of one thowsand pounds sterling by Bond

Writt issued eodem die to the Sherriffe of Saint Maryes County retorn to this Prou^{tt} Court to be holden at St Maryes the 19th day of ffebruary next.

Herman v.
Billingsley's
Estate
Idem Augustine Herman came this day being the 11th of January 1660 and demanded a warr^t to arrest John Cabreth Executor of Maior Billingsley deceased in an action of debt of 4000^t Tob

Warrant inde to the Sherr of Calvert County retorn to the next Prou^{ll} Court 19 ffebr 1660

Lindsey v.
True
James Lindsey came this day 11 January and demanded a writt to arrest Richard True Boate Right in an action of debt of 2000^t Tob and Caske.

Warrant inde to the Sherr of Charles County retorn next Prou^{ll} Court 19 ffebruary next.

Idem James Lindsey Attorney for Thomas Pryor dem^{ds} a Writt at the suite of the said Pryor to arrest Gyles Glover in an accon of the Case to the vallue of 600^t Tob & Caske

Liber
P. C. R.
Pryor v.
Glover

Warrant inde to the Sherr of Charles County retorn 19 ffebruary next

Luke Gardner and Hugh Hopewell came in person and desired the ensuing Pattent, and the sale thereof endorsed therupon to be entred, w^{ch} followeth in his verbis (vizt)

13 January
1660
Re
Gardner's
Land

Cæcilius absolute Lord and Proprietary of the Provinces of Maryland, and Avalon, Lord Baron of Baltemore &c. To all persons to whom theis presents shall come Greeting Knowe yee That Wee for and in consideration that Luke Gardiner of our said Province of Maryland Planter transported himselfe and Julian his Sister into that our said Province in the yeare 1647 there to inhabit and dwell, And that hee the said Luke Gardiner may be the better enabled to doe vs and our heires acceptable service within our said province Haue by and with the advice of our Trusty and welbeloued William Stone Esquier our Lieutenant of the said Province, and according to the tennor of our Letters vnder our hand and Seale bearing date at Portsmouth in the Realme of England the Eight day of August 1636 and recorded in the Secretaries Office of our said Province Giuen and Granted, And by these presents for vs and our heires doe giue Grant and Enfeoffe vnto the said Luke Gardiner All that parcell of land lying on the Sowth side of Patuxent Riuer Begining at a markt Cedar Tree standing nere the mouth of a Creeke called Gardiners Creeke and runing West Northwest from the said Cedar for the leingth of Sixty Perches to a markt Oake by a branch, and bounding on the West with a lyne drawne Sowth up the Branch from the said Oak for the leingth of fíue hundred perches to a markt Oake on the Sowth with a lyne drawne East from the last Oake vntill it intersect a Paralell drawne from Gardners Creeke, On the East with the said Creeke and paralell, On the North with the said Riuer containeing and now laid out for two hundred acres more or less. And all woods Quarres Mynes (Royall Mynes excepted) Waters ffishings ffishing places, and all other proffitts and Commodities in and upon the same land, Saueing to Vs & our heires our Royall Jurisdiction and Segniory as absolute Lords and Proprietaryes of the said Province To haue and to hould the same to him the said Luke Gardner his heires and Assignes foreuer. To be houlden of vs and our heires as of our Mannor of West Saint Maryes in ffree and Common Soccage by ffealty onely for all Services Yeilding and paying therefore yearely to vs and our heires at our vsuall Receipt at Saint Maryes ffower shillings in money sterling or Two Bushells of good Corne at the ffeast of the Nativity of our Lord, Giuen at Saint Maryes vnder the Great Seale of our said Province of Maryland the

p. 392

Liber Nynth day of August in the yeare of our Lord One thowsand Six
P. C. R. hundred fifty and Two Wittnes our said Lieutenant

W^m Stone Locus X Sigilli

Vpon the Back whereof was written as followeth

This 13th of January 1660

I the within named Luke Gardner doe for a valluable consideration by me receiued Giue and grant vnto Hugh Hopewell of Patuxent Riuer Planter all my Right Tytle and intrest of the within mentioned Pattent To haue and to hould the same to him and his heires for euer, As witness my hand the day and yeare abouesaid

Signed Luke Gardner

Witnesses Peter Bathe Ann X Land her marke.

p. 393
Stiles v. Piles William Stiles this 16th of January demands a writt to arrest John Piles in an action of the Case

Warrant issued accordingly to the Sherriffe of Saint Maryes County retornable 19 ffebruary next.

The said William Stiles the same day likewise desires a Subpa ad testificañd in the aforesaid Cause ag^t Lieutenn^t Coth John Jarbo, John Meadly, Sampson Waring William Thompson Walter Hall & Roger Isham to appeare 19 ffebruary next at the Prou^{ll} Court to be then houlden at Saint Maryes

Warrant inde issued to the Sherriffe of S^t Maryes to sumon all the aforesaid wittnesses (except Sampson Waring) accordingly.

Warr^t also issued to the Sherriffe of Calvert County to sumon Sampson Warren to testify in ditt Causa.

Tethershall v. Pile William Tethershall eodem die desires a writt to arrest John Pile in action of the Case.

Writt inde issued to the Sherriffe of Saint Maryes County ret 19 ffebruary next

Pakes v. Hammond M^{rs} Ann Hammon desires the same day a Subp^a ad testificand ag^t Lieutennant Collonell John Jarbo Peter Mills and John Dauies in the Cause depending betweene her and Walter Pakes.

Subp^a issued eodem die directed to the Sherr of Saint Maryes retournable to the next Prou^{ll} Court 19 ffebr next.

Harris v. Greene George Harris demands the same day a writt agst William Greene and Elizabeth his wife Executrix to her late husband Henry Potter deceased in an action of debt of 892^t Tob and Caske

Warrant inde to the Sherriffe of Saint Maryes County retorn the next Prou^{ll} Court 19 ffebruary 1660

Subp^a ad testificañd Mary Kirke the wife of Martyn Kirke, Vincent Achison W^m Harper & in the foresaid Cause. Liber
P. C. R.

Idem George Harris demands a writt agt William Harper in an action of debt of 700^t Tob and Caske Harris v.
Harper

Warrant inde to the Sherriffe of St Maryes County retorn vt supra

Subp^a agt Vincent Achison in dict Causa.

William Hughes Carpinder came this day being the 16th of January and demanded the Ensuing Examinations to be entred on Record vizt Captaine Robert Vaughan aged Sixty two yeares or thereabouts sworne examined saith, April 27th 1659 Hughes v.
Stone

That Somtyme about July being at Saint Maryes in Captaine William Stone Esquires howse was present when there was a falling out betwixt the said Captaine Stone, and one William that came out of New England, and by their discourse this Deponent did perceiue the difference betwixt them did arise about the foresaid Williams denying to grind upon Sarieant Maior Gibbons his Mill, which the said William had sett up at Saint Maryes, and had allmost . . . then said at that time, but after many words vused by either party, this deponent did heare the foresaid Captaine Stone promise the foresaid William to see him paid for his labour, if that he would finish her, and sett her to worke, but at that tyme the said William seemed to be very vnwilling to haue any thing to doe with her after he had finisht her, But the next day through this deponents perswasions and M^r Mathew Stones, hee did make a promise to the foresaid Captaine Stone to finish the Mill, and likewise to do his best in any thing that did belong vnto her relying on Captaine Stone for satisfaction for his Labour and paines therein p. 394
Signed Robert Vaughan
Jurat Coram me Phill Conner.

March 14th Anno 1658

John Buttery aged fforty Six yeares or thereabouts sworne and examined, Saith that when the wind Mill now standing at Saint Maryes Came in Captaine Stone then Gouvernor of this Province of Maryland sent a noate vnto this deponent by which note this deponent was Certified that Maior Gibbins belonging vnto New England had sent in vnto the aforesaid Captaine Stone a Mill, and the said Captaine Stone by noate Certifyed this deponent that he knew not where to sett the said Mill before this deponent came vnto him and this deponent coming vnto the aforesaid Captaine Stone was by him desired to looke to the Mill which this deponent did, but hauing kep her not past a weeke this deponent and the abouenamed Captaine

Liber
P. C. R. Stone broake of; And further this deponent saith that he heard the
said Captaine Stone say vnto William Hengs that he would force
him to keepe the Mill, And further saith not

The ¶ Marke of John Buttery

Juravit Coram me Josias Fendall.

Pakes v.
Waring Walter Pakes this 16th of January demanded a Sumons in Chan-
cery against Sampson Warren of the Cliffes

Subp^a thereupon issued to the Sherr of Calvert County retorn 19^o
ffebruary next

A subp^a ad testificand agt Henry Meese in the same Cause issued
retorn vt supra.

Pakes v.
Veitch The said Walter Pakes the same day demanded a Sumons in
Chancery against James Vech assignee of M^r John Hollyes

Subp^a then issued to the Sherr of Calvert County retorn 19 ffeb^r
next accordingly.

Kedger v.
Taylor Robert Kedger demands a Sumons in Chancery ag^t Robert Taylor
Subp^a then issued directed to the Sherriffe of retorn
ut Supra

A subpoena ad testificand issued the same day ag^t Mathew

16 January
p. 395
Pakes v.
Veitch Walter Pake assignee of John Hollis demands a writt ag^t James
Vech in an action of the Case

Writt thereupon issued directed to the Sherriffe of retorn
19 ffebr next

Kedger v.
Taylor Robert Kedger the same day demanded a writt ag^t M^r Robert
Taylor in an action of debt of 800^t Tob & Caske

Writt then issued directed to the Sherriffe of Calvert Coun retorn
19 ffebruary next.

Bushell v.
Price William Bushell demands a writt to arrest Captaine John Price
in an action of the Case.

Writt accordingly issued directed to the Sherriffe of Saint Maryes
retorn 19 ffebr next.

Atchison v.
Kedger Vincent Achison demands a writt to arrest Robert Kedger in an
action of the Case to the vallue of Ten pounds sterling.

Writt issued directed to the Sherriffe of Saint Maryes County ret
vt supra.

Richard Grymes demands a writt ag^t Arthur Wright in an action of trespass to the vallue of 3000^t Tob and Caske

Liber
P. C. R.
17 January
Grymes v.
Wright

Writt thereupon issued Directed to the Sherriffe of Kent County retournable to the next Prou^l Court at S^t Maryes 19 ffeb. next

Idem Richard Grymes demands a Writt ag^t Hugh Bevin in an action of trespass to the vallue of 540^t Tob and Caske

Grymes v.
Bevin

Writt thereupon issued directed to the Sherriffe of Calvert County retorn vt supra.

Idem Richard Grymes demands a writt ag^t Vincent Achison in an action of the Case to the vallue of 340^t Tob and Caske

Grymes v.
Atchison

Writt thereupon issued directed to the Sherriffe of Saint Maryes County retorn ut supra.

Thomas Phillpott by M^r John Abington demanded this 21th of January a writt ag^t Nicholas Bannister in an action of debt of 1500^t Tob & Caske

Phillpot v.
Bannister

Writt then issued to the Sherriffe of retorn ut Supra.

An execution issued directed to the Sherriffe of Saint Maryes County at the suite of Captaine Thomas Cornwaleys for one Thowsand pounds of Tob of the goods of Captaine William Mitchell attached in the hands of Thomas Mitchell as by Judgm^t of Court bearing date the first March 1659 apreth

13 Dec. 1660
Cornwaleys
v. Mitchell's
Estate

An order issued signed & sealed by the Gouvernor requiring Edward Prescott marchant or Capⁿ John Jenkins Attorney for the said Prescott to pay to George Goodrick 5000^t Tob as followeth vizt Whereas by an Order of Court dated the 5th of October 1659 It was Ordered that M^r George Goodrick should haue fife thowsand pounds of Tobacco without any abatement out of the Estate deceased extended as by the said order more at large appeareth, I doe therefore as by the said Order I am directed require you forthwith to pay vnto the said George Goodricke the said fife thowsand pounds of Tobacco without abatem^t out of the said Estate whereof you are not to faile, And this Together with the said Goodricks receipt endorsed upon the back hereof shalbe a sufficient discharge. Giuen at Saint Maryes vnder my hand & Seale this 14th of december 1660

14 Dec. 1660
Goodrick v.
Prescott
Vid. order
fo: 319

p. 396

Philip Calvert locus X Sigill

Levy by way of Execution upon any the Goods debts or Chattles of Edward Prescott marchant two thowsand fower hundred and fowrteene pounds of Tobacco and Caske within this Province being for the fees due to Capⁿ Nicholas Guyther for extending the Mannor

Gwyther v.
Prescott

Liber of Rite formerly the Estate of Capⁿ William Lewis deceased, and
 P. C. R. the same soe Leuyed to deliuer to the said Capⁿ Nicholas Guyther or
 his Order, And for soe doing this shalbe your Warrant Giuen at S^t
 Maryes this 17th day of december 1660 Philip Calvert

To the Sherr of Charles County or his Deputy

Price v. Collonell John Price this 29th day of January demands a writt to
 Black arrest William Black in an action of the Case

Warrant inde issued eodem die to Sherriffe of Saint Maryes
 County retorn to the Prou^{ll} Court to be houlden at Saint Maryes the
 19th of ffebruary next.

Clocker v. Thomas Ward demands the day last abouesaid a Subp^a ad testi-
 Ward et al. ficand on his owne behalfe for George Wilson Thomas Wright and
 W^m Cole in the Cause depending in this Court betweene Daniell
 Clocker plt and the said Thomas Ward & W^m Martyn dēfts.

Subp^a inde issued retorn ut supra. To the Sherr of S^t Maryes
 County

W^m Martyn eod die demanded the like subp^a ad testificand ag^t the
 said parties last aboue mencōned on his owne behalfe in the said
 Cause.

Subp^a ad testificand inde issued Directed to the Sherr of S^t
 Maryes County ret ut supra.

Gwyther v. Nichalas Guyther the day last abouemencōned demands a Scire
 Clocker facias ag^t Daniell Clocker to shew cause why he should not pay the
 said Nicholas the fees due for the imprisonment of Mary wife to
 the said daniell

Scire facias thereupon issued directed to the Sherr of S^t Maryes
 County retorn vt supra.

Hobbs v. John Hobs the same day last above mentioned demands an Attach-
 Gottley ment ag^t the goods debts or Chattles of John Gottley als Dowle w^{ch}
 are in the hands of Thomas Gerrard to the vallue of 13^t lawfull
 money of England to answeere his suite in an action of to the
 like vallue.

Attachment thereupon issued retorn vt supra directed to the
 Sherriffe of Saint Maryes County.

p. 397 This day Came Hugh Lee of Saint Maryes and acknowledged
 30^o January himselfe indebted vnto the Lord Proprietary of this Province in the
 Ordinary sume of One Thowsand Pounds of Tobacco and Caske In Case the
 License said Hugh Lee for the space of fīue wholl yeares next ensuing the
 date hereof shall suffer or pmitt any eiuell rule or order to be kept

in his said howse at Saint Maryes—Especially upon any the Lords dayes called Sundayes by gameing or exorbitant drinking during the tyme of Divine Service, or shall suffer any Servants or Apprentices to remaine Tipling or drinking in his howse without their Masters priuity, or shall sell or giue such apprentices drinke occasioning their disorder thereby, Or shall sell drinke by Retayle at greater price then is allowed by an Act of Gennerall Assembly provided in that behalfe

Hugh Lee

Recognit Coram me Peter Bathe

Idem Hugh Lee had the same day a license to keepe an Ordinary as M^r Philip Land had fo: 12:

Thomas Tolson by his Attorney M^r John Abington demands a writt to arrest Thomas Stone in an action of debt

31 January
Tolson v.
Stone

Warrant inde to the Sherr of Charles County retorn to the next Prou^l Court at S^t Maryes 19 ffebruary

Idem by his said Attorney eod die demands a writt to arrest Thomas Stone as Executor to his father in action of debt

Tolson v.
Stone
Execr.

Warrant inde issued directed & retorn ut supra.

Capⁿ Thomas Cornwaleyes eod die demands a writt to arrest Ann Chandler Administratrix to her deceased husband in an action of debt of two thowsand three hundred and fifty pounds Tob & Caske

Cornwaleys
v. Chandler
Adminx.

Warrant inde issued directed and retorn ut supra.

Richard Cole by M^r John Abington demands a writt to arrest Richard True Ship Carpenter in an action of debt

Cole v.
True

Warrant inde issued directed and retorn ut supra.

Martyn Kirke demands a writt ag^t Richard Bayley in an action of detinue

1 February
1660
Kirke v.
Bayley

Warrant inde issued to the Sherriffe of Calvert County ret 19 Instantis to the Prou^l Court at Saint Maryes.

William Knaggs demands a writt ag^t Robert Kenly in an action of the Case.

eod die
Knaggs v.
Kenly

Warrant issued to the Sherr of Charles County retorn to the Prou^l Court 19 instantis ut supra

Captaine Thomas Cornwaleys demands this first of ffebr a writt to arrest William Styles in an action of debt of twelue hundred and Seunteene pounds Tob

p. 398
Cornwaleys
v. Styles

Warrant issued eodem die to the Sherriffe of Saint Maryes County retorn 19 instantis to the Prou^l Court

Liber
P. C. R.
Cornwaleys
v. Sheppey Idem demands the same day a writt to arrest Richard Sheppey in
an action of debt
Warr^t inde to the Sherr of S^t Maryes retorn ut supra

Cornwaleys
v. Spinke Idem demands the same Day a Writt ag^t Henry Spinke in an
action of debt
Warrant inde to the Sherriffe of Saint Maryes retorn vt supra

Cornwaleys
v. Spinke Idem demands the same day a writt ag^t Henry Spinke in an
action of trespass.
Warrant inde to the same Sherr retorn ut supra.

Warren v.
Head Humphrey Warren demands the same day a writt ag^t William
Head in an accōn of debt.
Warrant inde To the Sherriffe of Calvert County retorn ut supra

Walker v.
Head James Walker demands the same day a writt ag^t William Head in
an action of debt
Warrant inde to the Sherriffe of Calvert County ret vt supra.

Tilghman's
Contracts Captaine Samuel Tilghman this day being the ffower & twentieth
of Janua desires the ensuing Contracts and the protests thereupon
made to be entred on Record vizt

Contract
betweene
Samuell
Tilghman
& Charles
Peck This Present writeing indented made the Eighteenth day of
August 1660, And in the twelfth yeare of the Raigne of our Souer-
aigne Lord King Charles the Second Betweene Samuel Tilghman
of Ratcliffe in the County of Midds Marriner Master of the Good
Ship called the Goulden ffortune of London of the burthen of Two
hundred and threescore Tons or thereabouts now bound forth upon
a voyage from hence to Potomack and Patuxonn Riwers in Mary-
land and so to retorne back to the Porte of the Citty of London
of the one parte, And Charles Peck of London marchant of the
other parte Wittnesseth that the said Samuel Tilghman doth for him
his Executors and Administrators Covenant promise and graunt to
and with the said Charles Peck his Executors and Administrators by
these presents That he the said Samuel Tilghman his Executors or
Assignes shall and will within fforty dayes next after the arrivall of
the said Ship in Potomack or Potuckson Riwers aforesaid receiue
and lade or cause to be receiued and laden aboard the said Ship at
Potomack or Potuckson Riwers aforesaid to and for the vse and
accompt of the said Charles Peck his Executors Administrators and
Assignes Three Tons of Tobacco accompting ffower Virginia Hogs-
heads to every Tonn to [be] brought home in the said Ship to the
Porte of London aforesaid (the danger of the Seas excepted) vnto

and for the said Charles Peck his Executors or Assignes in Case the same shalbe provided at Potomack or Potuckson Riwers aforesaid within halfe a mile of the Water side within the said space of fforty dayes as is abouementioned. And the said Charles Peck doth for himselfe his Executors Administors and Assignes Covenant promise and Grant to and with the said Samuell Tilghman his Executors and Administrators by these presents not onely to provide and make ready the said Three Tons of Tobacco abouementioned at Potomack or Potuckson Riwers aforesaid within the tyme abouementioned But also well and truely to pay or Cause to be paid to the said Samuell Tilghman his Executors Administrato^{rs} or Assignes the Summe of Seuen pounds of lawfull money of England per Ton for every Tonn of the said Tobacco that shalbe brought home in the said Ship for the said Charles Peck at and vpon the delivery of the same here at the Port of London, and so after the same rate and proportion for a greater or lesser quantity then a Tonn, And the said Charles Peck doth binde himselfe his Executors and Administrators in Case his ffactors or Assignes shall not provide and make ready the said Three Tons of Tobacco within the said space of fforty dayes abouementioned to pay or Cause to be paid to the said Samuell Tilghman his Executors Administrators or Assignes the Summe of fforty pounds of lawfull money of England within ten dayes next after the arrivall of the said Shipp at the Porte of London, And Likewise the said Samuell Tillghman doth binde himselfe his Executors and Administrators in Case hee shall not receiue and lade or cause the said goods to be receiued and laden aboard the said Ship at Patomack or Potuckson Riwers aforesaid, being provided and made ready by the ffactors or Assignes of the said Charles Peck within the said fforty dayes abouementioned winde and weather permitting well and truely to pay or cause to be paid to the said Charles Peck his Executors or Assignes the summe of fforty pounds of lawfull money of England within ten dayes next after the arriuall of the said Shipp at the Porte of London aforesaid In wittness whereof the parties abouenamed haue herevnto sett their hands and Seales the day and yeares abouewritten: +

Signed Charles Peck

Locus X Sigilli

Sealed & Deliuered in the p^esence of vs W^m Salisbury Scr James Sleigh his servant.

Wheras there was a Contract and Agreement indented made and Concluded Bearing date the Eighteenth day of August 1660 Betweene Samuell Tilghman of Ratcliffe in the County of Midds Marriner Master of the Good Ship called the Goulden ffortune of London of the Burden of Two hundred and threescore Tons or thereabouts of the one parte, And Charles Peck of London merchant of the other parte whereby the said Charles Peck his Execu-

Liber
P. C. R.
p. 399

Liber to^{rs} Administrators and Assignes were ingaged to provide and make
P. C. R. ready to be receiued and laden aboard the said Ship by the said
Samuell Tilghman his Executors or Assignes within fforty dayes
p. 400 next after the arriuall of the said Ship in Potomack or Potuckson
Riuers in Maryland Three Tons of Tobacco accompting fflower
Virginia Hogsheds to Euery Ton, And whereas the said Samuel
Tilghman in the said Ship did arriue at his ladeing Porte—within
the the said Province of Maryland the First . . . day of december
One Thowsand Six hundred and Sixty, And haueing remained in the
said Riuer with the said Ship Men and Boates in a readiness to
receiue and fetch the said Three Tons on Board the said Shipp
whensoever required from his arrivall aforesaid vntill this present
flower and twentieth day of January and hath not yet receiued any
Order from the said Charles Peck his ffactors or Assignes, or any
note or notice from any of them for the receiuing and fetching of the
said Three Tons of Tobacco or any parte thereof aboard the said
Ship. Therefore the said Samuell Tilghman doth hereby Protest
as well against the said Charles Peck his Executors, Administrators
and Assignes, as against all other persons whatsoever, And doth
hereby Declare that what damadge shall be made appeare to ensue
for the Nonperformance of the abouesaid Contract and Agreement
may and shall rest upon the said Charles Peck his Executors Admin-
istrators or Assignes according to the tennor of the said Contract and
Agreement, And I Philip Calvert Esquier Governor of the said
Province of Maryland vnder his Lo^p Cæcilius Lord Barron of Balte-
more Lord and Proprietary of the said Province, Because the Protest
aforesaid was made before me haue herevnto sett my hand, and
caused his said Lo^{ps} lesser Seale of the said Province to be affixed
herevnto this 24th day of January 1660 Signed Philip Calvert

This Present writeing indented made the fflowerteenth day of
August 1660, And (as in the former Contract) Betweene Samuel
Tilghman (as aforesaid likewise) And William Barrett of London
marchant of the other parte Wittneseth &c to and for the use &
accompt of the said William Barrett his Executors Adm^{rs} and As-
signes Seunteene Tons and one halfe Ton of Tobacco amounting &c
(as in the former Contract mutatis mutandis) the sume of Two
hundred and fforty pounds of lawfull money of England within ten
dayes next after the arrivall &c In wittnes &c Signed W^m Barrett

Locus X Sigill

Sealed and deliuered in the presence of vs W^m Parker Servant to
W^m Salusbury Scr.

The like Protest as aforesaid onely changing the name of William
Barrett was made by the said Samuell Tilghman ag^t the said Barrett
for Seunteene Tons and one halfe Ton of Tobacco.

This Present writeing indented made the Eight day of September 1660 And &c as in the former Contract Betweene Samuell Tilghman &c and John Twisleton of London marchant of the other parte Witt-
nesseth &c onely changing the name of John Twisleton, and for five
Tons vntill the sume of threescore and ten pounds of lawfull money
of England &c

Liber
P. C. R.
p. 401

Signed John Twisleton

Locus X Sigilli

Sealed and deliuered in the presence of vs James Sleigh W^m
Parker Servants to William Salusbury Scr.

The like Protest as aforesaid was made against John Twisleton for
not pforming his Contract by the said Samuell Tilghman.

Captaine Thomas Cornwaleys demands a writt to arrest Maior George Colclough in an action of debt of fiftene hund^d pounds Tob
and Caske

20^o february
Cornwaleys
v. Colclough

Warrant mde to the Sherriffe of S^t Maryes retorn 19 instantis to
the Prou^{ll} Court at Saint Maryes

Augustine Herman demand a writt to arrest Collonell John Price
in an action of debt of fiftene hundred pounds ster

eod die
Herman v.
Price

Warrant mde to the Sherriffe of S^t Maryes County retorn vt
supra

Idem demands a writt to arrest Maior George Colclough & Eliz:
his wife Adm^{ix} to Symon Overzee her late deceased husband in an
action of the Case to the vallue of fower hundred pounds ster, and
Sixteene thowsand pounds Tob and Neate Porke.

eod die
Herman v.
Colclough
Adminx. to
Overzee

Warrant mde to the Sherriffe of S^t Maryes retorn ut supra

Idem demands the ensuing Protest to be entred among the Prou^{ll} 1 February
Records w^{ch} followeth (vizt) Whereas Elizabeth Overzee widdow
of Symon Overzee deceased, and as it is reported now the wife of
Maior George Colclough, Administratrix of the Estate of Symon
aforesaid stands ingaged vnto Augustine Herman marchant the full
Sume of One thowsand pounds sterling for the non performance of
the award &c W^{ch} Award and Arbitration shee has denied by refus-
ing to signe the generall discharge in the Arbitration awarded And
Secondly by not paying the ten thowsand weight of Tobacco and
fower thowsand weight of Neate Porke Commanded by the said
award to be paid by the last of January at furthest Which tyme is
now past, But to the Contrary has made me stay waiting upon her,
and caused thereby my other buisnesses in the Countrey to be Neg-
lected. Item the Barke Swallow attended all this while here in
expectation of the abouesaid loadeing, and might euersince haue

Liber
P. C. R. very well bene dispatched when now shee has lost a whole voyadge
and being now often soe iniuriously dealt with all and from tyme
to tyme more and more damnified, This therefore to be taken notice
on that I the aboue said Augustine Herman by these presents Doe
protest against all the aforesaid dishonest proceedings and vnfaithfull
dealings for which I doe demand satisfaction to the uttmost as lawe
p. 402 and Justice may adiudge, And Doe declare further that I doe lay
hold on the breach, and not performance of the arbitration, And in
Consequence thereof besides the thowsand pounds sterling already
entred, Claime my first principall and demand the fflower hundred
pounds sterling due vnto me by Covenant out of the Estate of Symon
Overzee deceased with about Sixteene thowsand weight of Tobacco
and Neate Porke reall due p ballance of accompts out of the Estate
aforesaid, for which Action shalbe entred, and the Administratrix
arrested to answeere the next ensuing Prouinciall Court And soe
desiring this to be recorded I haue herevnto sett my owne hand this
first day of ffebruary 1660 at S^t Maryes in S^t Inigoes Riuer in
Maryland Signed Augustine Herrman.

And I Philip Calvert Esquier Governor of the said Province of
Maryland vnder his Lo^p Cæcilius Lord Baron of Baltemore Lord
and Proprietary of the said Province Because the Protest aforesaid
was made before me haue herevnto sett my hand, and caused his said
Lo^{ps} lesser Seale of the said Province to be affixed herevnto this
first day of ffebruary 1660 Philip Calvert.

Ellery v.
Colclough Henry Ellery this day being the last of January Demands a writt
to arrest Maior George Colclough and Elizabeth his wife Adminis-
tratrix of Symon Overzee her late deceased husband in an action of
debt of three thowsand Six hundred and Sixty pounds Tob and
Caske.

Warrant mde to the Sherriffe of Saint Maryes County ret 19
ffebruary next to the Prou^{ll} Court

Meese v.
Colclough Henry Meese marchant this 4th day of ffebruary demands a writt
to arrest Maior George Colclough and Elizabeth his wife Adminis-
tratrix to her late deceased husband Symon Overzee in an action of
the Case of three thowsand two hundred pounds sterling.

Warrant mde to the Sherriffe of S^t Maryes County retournable to
the Prou^{ll} Court 19 ffebruary at Saint Maryes

Fereira v.
Baysey David fferrera by his Attorney William Hampstead this 6th day
of ffebruary demands writt to arreast Michaell Basey in an action
of debt of fower hundred thirty Eight pounds Tob & Caske

Warrant mde to the Sherriffe of Calvert County return 19 ffebru-
ary following.

Idem p euñd Attornat eod die demands writt to arrest Martyn Cole in an action of debt of 703[†] Tob : & Caske
 Warrant mde to the Sherriffe of St Maryes County retorn 19 ffebruary.

Liber
 P. C. R.
 Ferreira v.
 Cole

Idem p eund Attornat demands writt to arrest Coff John Price in an action of the Case

Ferreira v.
 Price

David fferrara by his Attorney William Hampsted this 6th of ffebruary a writt to arrest Mr W^m Bretton in an action of debt of 360[†] Tob & Caske.

p. 403
 Ferreira v.
 Bretton

Warrant mde to the Sherriffe of St Maryes County retorn as last within mentioned.

David fferrara by his Attorney aforesaid dem^{ds} writt to arrest Jacob Lombrozo in an action of debt of 1500[†] Tob and Caske.

Ferreira v.
 Lumbrozo

Warrant mde to the Sherriffe of St Maryes County retorn vt supra.

Thomas Hawker the same day dem^{ds} writt to arrest Mr Thomas Mathewes gent in an action of the Case.

Hawker v.
 Mathews

Warrant mde to the Sherriffe of St Maryes County ret vt supra.

Subp^a ad testificand Mr Richard Willan Bryon daly Thomas Griffin and John Ward in dca C^a ret ut Supra.

William Greene and Elizabeth his wife this 7th of ffebruary demands a Sumons ag^t Nicholas Guyther Sherriffe of St Maryes County in an action of debt of 1600[†] Tob and Caske

Greene v.
 Gwyther

Subpoena ad testificand likewise issued to Markes Pheypo, and Martyn Kirke ret vt supra, in the said Cause.

Vpon complaint made unto me by Mr Henry Meese march^t and Augustine Herman marchant that the goods and Chattles that late were belonging to Symon Overzee of this Province mchant deceased are in parte already transported and the rest to be transported into other parts out of the Jurisdiction of this Province by Maior George Colclough and Elizabeth his wife Administratrix to the said Symon Overzee her deceased husband before the debts due by the said Symon and for which suites are already commenced in the Prou^{ll} Court of this Province be satisfied. These are therefore in the name of the Right honno^{ble} the Lord Proprietary of this Province strictly to charge and command you Nicholas Young to detaine upon your hands all the goods Chattles and debts of the said Maior George Colclough and Elizabeth his wife within this Province, and upon noe tearmes to suffer or pmitt them or any of them to be transported or otherwise conveyed out of this Province untill the said Maior George

Meese &
 Herman v.
 Colclough

Liber
P. C. R. Colclough and Elizabeth his wife shall giue in sufficient security before me to appeare at the next Prou^{ll} Court to be houlden at Saint Maryes on the 19th day of this instant to answeere the seuerall suites commenced ag^t them and abide Judgment of Court therein, whereof you are not to faile as you shall answeere the Contrary at your perill. And for soe doing this shalbe your warr^t Given at Saint Maryes the 6th day of ffebruary 1660 Philip Calvert.

7 ffebr.
Bevin v.
Colclough Hugh Bevin demands a Scire facias ag^t Maior George Colclough & Eliz : his wife Adm^{ix} of the goods Chattles & debts of Symon Overzee her deceased husband to shewe cause why Eleuen hundred twenty nyne pounds Tobacco should not be leuyed &c retorn 19 ffebr to the Prou^{ll} Court at S^t Maries

p. 404
Bevin v.
Harvey Hugh Beuin the said 7th day of ffebruary demands an Attachment upon the goods debts or Chattles of Thomas Harvy who (as tis alleaged) liues now in Virginia out of the Jurisdiccōn of this Court.

Attachment issued directed to the Sherriffes of Saint Maryes County retorn 19 ffebruary to the Prouth Court at Saint Maryes

Price v.
Meese Collonell John Price 8th of ffebruary demands a writt to arrest M^r Henry Meese marchant in an action of debt of 1600^t sterl

Warrant mde to the Sherriffe of Saint Maryes County retorn ut supra.

Mills v.
Hammond Peter Mills the same day demands writt to arreast M^{rs} Ann Hammon in an action of the . . .

Warrant mde to the Sherriffe of S^t Maryes County retorn vt supra.

Herman v.
Colclough Augustine Herman marchant this 8th day of ffebruary demands writt to arrest Maior George Colclough and Eliz. his wife Administratrix to her late deceased husband Symon Overzee

Warr^t mde to the Sherriffe of Saint Maryes County ret ut supra.

Roberts v.
Greene ffobby Roberts this day abouesaid demands a writt to arrest William Greene in an action of debt of 3000^t Tob and Caske

Warrant mde to the Sherriffe of Saint Maryes County retorn ut supra.

Re Golden
Lyon Thomas Harwood Comander of the Ship Golden Lyon of London this 9th day of ffebruary demands the ensuing Contract to be entred upon Record and the Protest made thereon, vizt

This writeing indented made the 25th day of July in the yeare of our Lord God 1660 Annoq^e Caroli 2 : 12^o Betweene Thomas Harwood Comannder of the Ship Goulden Lyon of London now bound upon a voyadge to Puttuxen and Severne in Maryland on thone parte,

and John Hatch of London—marchant on thother parte, Wittneseth that it is Covenanted and agreed by and betweene the said parties to these presents for themselues their Executors and Assignes that the said Thomas Harwood, or his Assignes or Company of the said Shipp shall and will this present intended voyadge fetch or cause to be ffetched and receiued aboard the said Ship with the Boate or shallop of the same at and within the places and distance hereafter mentioned the quantity of thirty hogsheads of Tobacco to be stowed and carryed in the said Ship to the Port of London Holland or Zeland as the said Ship shall make her discharge to be deliuered vnto the said John Hatch his Executors or Assignes the of the and Enemies Executors and Assignes doth Covenant and Grant to and wth the said Thomas Harwood his Executors and Assignes by these presents that the said John Hatch his Executors or Assignes shall and will not onely make ready and provide or cause to be provided at some place or places at or nere Wiccacomacoe ready receiued weighed and nayled where the Boate or Shallop of the said Ship may safely come and not exceeding halfe a myle from the water side the quantity of thirty hogsheds of Tobacco within thirty dayes next after arrivall of the said Ship there, And within sufficient tyme within the said dayes giue notice to the Master of the said Shipp or his Assignes at what place or places all the said Tobacco shalbe provided But also shall and will pay or cause to be paid unto the said Thomas Harwood his Executors or Assignes at such place as the said Ship shall make her discharge the sume of money or ffreight hereafter mentioned that is to say if the said Ship shall make her discharge at London then the Sume of Seuen pounds and Ten shillings of lawfull money of England p ton, And if the said Ship shall make her discharge at Holland or Zeland then the sume of Eight pounds of like money p ton And soe after the same rate for a lesser quantity then a Ton all at one entire payment upon deliury of the said Tobacco to the said John Hatch his Executors or Assignes at any of the Ports or places aboue mentioned Together also with primage average & other duties and charges accustomed and to grow due and payable for or touching the said Tobacco accompting fower Virginia hogsheds to a Tonn And to performance of the Couenants and agreements by the said Thomas Harwood to be performed in all things as aboue he bindeth himselfe and the Shipp Tackle and ffurniture vnto the said John Hatch his Executors and Assignes in the sume of ffowerscore pounds of lawfull money of England well and truely to be paid by these presents And to performance of the Couenants payments and Agreements by the said John Hatch and his Assignes to be performed in all things as aboue he bindeth himselfe his Executors and goods to the said Thomas Harwood his Executors and Assignes in the like sume of ffowerscore pounds of like money well and truely to be paid by these presents In wittnes whereof the

Liber
P. C. R.

p. 405

Liber
P. C. R. pties aforesaid to these present writings indented haue interchange-
ably sett their hands and Seales Dated the day and yeare first aboue-
written John Hatch.

Sealed and deliuered in the p^esence of W^m Bowne Thomas Wood-
ward his Seru^t.

Whereas there was a Contract and Agreement indented, made and
Concluded bearing date the 25th day of July 1660 Betweene Thomas
Harwood Comānder of the Ship Goulden Lyon of London of thone
parte, And John Hatch of London marchant on thother parte
p. 406 his Executors and Assignes to be fetched aboard the said Ship
within thirty daies next after arrivall of the said Ship in Potuxen or
Severne in Maryland according fflower Virginia Hogsheds to euery
Ton, And whereas the said Thomas Harwood in the said Ship did
arrive in Patuxent on the 17th day of November 1660 And haueing
remained in the said Riuer and other Places within the said Province
with the said Ship men and Botes in areadiness to receiue and fetch
the said thirty hogsheds on Board the said Ship whensoever required
from his arrivall aforesaid vntill this present day, and hath not
yet receiued any Order from the said John Hatch his ffactors or
Assignes, or any Note or Notice from any of them for the receiueing
and fetching of the said Thirty Hogsheds or any parte thereof
aboard the said Ship. Therefore the said Thomas Harwood doth
hereby Protest as well against the said John Hatch his Executors
Adm^{rs} and Assignes as against all other persons whatsoever And
doth hereby declare that what damage shalbe made appeare to Ensue
for the Non performance of the abouesaid Contract and Agreement
may and shall rest upon the said John Hatch his Executors Adminis-
trators or Assignes according to the tennor of the said Contract and
Agreem^t And I Philip Calvert Esquier Gouvernor of the said Prov-
ince of Maryland vnder his lo^p Cæcilius Lord Baron of Baltemore
Lord and Proprietary of the said Province Because the Protest
aforesaid was made before me haue herevnto sett my hand, and
caused his said Lo^{ps} Lesser Seale of the said Province to be affixed
hereunto this 25th day of december 1660 Signed Philip Calvert

Bateman v.
Knowles
et al. M^r John Bateman by his letter to the Gouvernor dem^{ds} aspeciall
warr^t, w^{ch} was granted as hereafter mentioned viz^t. Vpon Com-
plaint made unto me by M^r John Bateman that Guy Knowles, and
Richard Armstrong are run away with his Bote. These are therefore
in the name of the Right honno^{ble} the Lord Proprietary to Comand
you imediatly on sight hereof to make dilligent Search and inquiry
for the said persons and them haueing found to keepe in your Safe
Custody untill you bring them before the next Prou^{ll} Court to be
houlden at Saint Maryes on the 19th day of this instant to answe-
re the Charge putt in against them by the said M^r John Bateman. As

also you are required to seize upon the said M^r John Batemans Bote w^{ch} they had, and the same deliuer to him, or his Order, and of this you are not to faile as you shall answer the Contrary at your perill And for soe doing this shalbe your warrant Given at S^t Maryes the 9th day of ffebruary 1660

Liber
P. C. R.

To the Sherriffe of Saint Maryes County or his deputy or To any other Sherriffe or deputy Sherr in the Province of Maryland.

Nicholas Keitting the 13th of ffebr 1660 demands a writ to arrest Thomas Hethcott marchant in an action of the Case. Warr^t mde to the Sherr of S^t Maryes County ret to the Prou^{ll} Court 19 ffeb. at S^t Maryes

p. 407

Subp^a ad testificand in dict C^a Jerem and John Metcalfe to the same Sherr ret ut supra

Mary Warner widdow eod die dem^{ds} a writt to arrest daniell Clocker in an action of the Case.

Warner v.
Clocker

Warrant mde to Sherriffe of Saint Maryes County ret 19 ffebr ut supra.

Sub ad testificand in dca C^a Thomas Harper Joseph Edlo and Thomas Wright at the request of the p^{lt}

Richard Russell demands a Subp^a eod die ad testificand for Markes Pheypo and Martyn Kirke in the Cause betweene him and John Mastrick

Russell v.
Mastrick

Subp^a ad testificand accordingly issued to the Sherr of Saint Maryes County ret ut supra.

William Martyn eod die demands a Subp^a ad testificandum for Ellynor Martyn in the Cause betweene him & daniell Clocker w^{ch} issued to the Sherr of S^t Maryes County retorn ut supra.

Martyn v.
Clocker

Thomas Ward demands the like Subp^a ad testificand for Patience Martyn in the Cause betweene him and daniell Clocker, w^{ch} accordingly issued to the Sherr of S^t Maryes County retorn as abouesaid.

Ward v.
Clocker

Richard Collett this 14th of ffebruary demands the ensuing letter of Attorney to be entred upon Record vizt

Utye's
Power of
Attorney

Know all men by these presents that I Nathaniell Vtye of Baltemore County marchant, doe appoint my loueing Vnkle M^r Richard Collett my true and lawfull Attorney for me and in my name to aske, and receiue all such debts as are due to me in the Riuer of Patuxent or Potomeck and to giue discharge for the same Wittness my hand this 30th of Nouember 1660

Signed Nath Vtie

Testes George Gould Smyth, Godfrey Bayley

Liber Richard Games 13 ffebr demands a writt to arest Bennett Car-
 P. C. R. penter in an an action of
 Games v. Warr^t mde to the Sherriffe of St Maryes ret as aboue said
 Carpenter

p. 408 Scire facias issued at the suite of William Allen ag^t Maior George
 Allen v. Colclough and his wife Adm^{ix} to Symon Overzee deceased for 2172^t
 Colclough Tob, According to an order of Court bearing date the Sixth of
 October 1658 W^{ch} Scire facias was dated the 8th day of ffebruary
 1660 retorn to Prouth Court decimo Nono ffebruary then following,
 directed to the Sherr of Saint Maryes County.

Bushell's Richard Browne came this day being the 19th of ffebruary 1660,
 Power of and demands the ensuing letter of Attorney to be entred on Record,
 Attorney vizt

This present writeing testifieth that I William Bushell do herein
 constitute and appoint my welbeloued freind Richard Browne in
 Cherry Point Neck in the County of Northumberland in Virginia for
 to be my true and absolute Attorney for me and in my name in all
 causes or debts whatsoever in any wise vnto me belong within the
 Province of Maryland. Giueing and granting to my said Attorney
 as full power as any Attorney hath or ought to haue As witnes my
 hand this Second day of Nouember 1660

W^m Bushell
 his C marke

Sealed signed and deliuered in the sight of Robert R H Holt
 John X benson

Re Hutt M^r Daniell Hutt this 21th of ffebruary demands the Ensuing to
 be entred among the Records of the Prou^l Court viz^t

New Port the 8th of June 1660

M^r Daniell Hutt you being Master of the Ketch Johns Adventure,
 and being now bound to the Barbados My advice to you is that you
 take the first opportunity and sett saile, and being arrived at the
 Barbados, Deliuer your Letters and the Mares and horses to M^r
 daniell Browninge desiring speedy dispatch, but in Case M^r Browning
 be not there, if it may be without detaineing of you I desire you will
 sell a Mare or horse or two to procure these things as followes 10 or
 12 barrells of very good Rum 10 Barrells of good Malases 3 or 4
 barrells of Muscovado Sugar for our owne store 100 weight of
 good white Shugar, Two good baggs of very good Cotton wooll,
 and being dispatcht deliuer at your Retourne these things at my
 howse in New Port, and come to Boston with the Rest, but in Case
 it proue late in regard of your voyage to Virginia, if you haue such
 as you confide in to bring the Ketch about, you may come to Boston
 by land takeing a horse at my howse in Newport, this desireing your
 welfare and the presence of God with you I remaine

Your freind William Brenton

New Port on Road Iland the 23th of Aug. 59.

Liber
P. C. R.
p. 409

M Daniell Hutt you being Marchant of the Pinke Adventure being now bound to Virginia, and there being shippd by me William Brenton, and there to loade and dispose of the said Pinke Adventure, The Charge amounting to the sume of Six hundred fforty Six pounds Ten shillings and Six pence as appeares by speciall bills of percells Invoices and ingagements due in Virginia, My Order and advice is that you endeavour to loade in Virginia with good Leefe Tobacco and send her to the Manadas and there order or Consigne the said Tobacco to such person or psons as you can best confide in for my advance if you cannot come your Selfe, But in Case you be discouradged to come to Manhades you may come or send it to me at New Port, And Because the Pinke is too small for my imployment if you can I desire you would endeavour the Saile of her, And if you can meete with one in her steede. In all your transactions both in sayles and retourne, and in the disposing of the Pinke, and in buying another all to bee imployed to and for my use I leeue it to your mannadging, desiring you to informe me by all Conveniences of the transactions of your business I did wright to M^r Edward Prescott, and did referr him to yourselfe in my behalfe, about loading some parte of his Vessell with Tobacco for Hambrough. If you doe any thing in it agree upⁿ what tearmes both for the freight to Hambrough and home, and what part or pcell of goods shalbe myne upon the retourne of the vessell to be deliuered at Newporte on Road Iland Remember me kindly to my Cosen Prescott I aduised him I had left the mannadging of my buisness to you, and if you see what I write to him you may be better informed of my proposalls, Thus desiring you euerlasting welfare I remaine

Your loueing freind and imployer
William Brenton

This day being the 23th of ffebruary came Capⁿ Thomas Corn- Re Abington
waleys on behalfe of M^r John Abington and desired the ensuing
might be recorded vizt.

from Bristoll 30th of August 1660

M^r Abington and loueing freind I kindly salute you &c. S^r Not hearing from you by any of the London Ships w^{ch} came from Virginia I thought good to write a few lynes to you, giueing you an accompt of the fflower hogsheds of Tobacco w^{ch} I brought ouer for you, I haue sould them at the best rate I could and haue receiued the sume of twelue pounds w^{ch} is all due to you, Custome and Excise and paid, but not hearing from you how to dispose of it I
thought good to lett the moneys remaine in my hands, and not to
send it to you before I haue receiued further Orders from you, how

p. 410

Liber
P. C. R. to dispose of it, Tobacco was at a very Lowe Rate when I sould it,
and what Orders you shall send to me, to dispose of your moneys I
shall obserue and satisfie your desires therein. Thus Committing
you to the protection of the Allmighty I remaine

Your assured loueing freind
Richard Ward.

To my very Loueing freind M^r Abbinton Liuing in St Maryes
Riuer in Maryland.

Know all men by these presents That I Thomas Heathcott of
Bristoll marchant do acknowledge to owe and stand indebted vnto
John Abington of the Crosse in the Province of Maryland the sume
of three pounds ten shillings of lawfull money of England for a
valluable Consideration in Tobacco already receiued by me the said
Thomas Hethcott W^{ch} said sume of money is to be paid to the said
Abington his Attorney or Assignes within thirty dayes after the first
and next arriuall of the good Ship called the Providence of Bristoll
aforesaid John Hoskins Commander, and for the true performance
of w^{ch} payment to be well and truely made I binde my selfe my heires
Executo^{rs} Administrators and Assignes firmly by these presents
without any demurr delay or Exception of any thing or pretence
whatsoever, onely excepted that the said Ship be not taken by any
Enemy or Cast away before her first and next arrivall after the date
hereof at her Porte of deliury In either of which Cases This obliga-
tion is to be voide or else to stand in full force and vertue, As witt-
ness my hand and Seale this 22th day of ffebruary Anno dui 1660

The moneys is to be paid in the Citty of Bristoll agreed upon before
the Signeing hereof Signed Tho: Heathcott.

Signed sealed and deliuered in the presenec of vs Edward Packer
Thomas Daniells

4^o Marcij
1660
p. 411
Ordinary
License This day came Thomas Jnnis of Jnnis Choice in Saint Maryes
County, and acknowledged himselfe indebted vnto the Lord Proprie-
tary of this Province in the Summe of One Thowsand pounds Tobacco
and Caske. In Case the said Thomas Jnnis for the space of fve
whole yeares next ensuing the date hereof shall suffer or permitt any
euiell rule or order to be kept in his said howse at Jnnis Choice,
especially upon any the Lords dayes called Sundayes by gameing or
exorbitant drinking during the type of diuine Service, or shall suffer
any Seruants or Apprentices to remaine Tipling or drinking in his
howse without their Masters privity, or shall sell or giue such Ap-
prentices drinke occasioning their disorder thereby or shall sell
drinke by retaile at greater price then is allowed by an Act of Genner-
all Assembly in that behalfe prouided.

Recognit Coram me eodem die Peter Bathe

Tho Jnnes
1660

Philip Calvert Esq^r Gouvernor of this Prouince of Maryland vnder the Right honno^{ble} Cæcilius Lord Baron of Baltemore absolute Lord and Proprietary thereof. To Thomas Jnnis of Jnnis Choice in Saint Maryes County, Sendeth Greeting in our Lord God Euerlasting. Knowe yee That I Philip Calvert Gouvernor aforesaid vpon good and Credible report to me made by diuers Inhabitants of this Province that the said Thomas Jnnis is a man mette to keepe an Ordinary or Inn in the howse where he now dwelleth at Jnnis Choice for the Convenience and entertainment of sundry the Inhabitants coming and resorting upon their Occasions to Saint Maryes Haue licensed allowed and admitted, and doe by these presents license allow and admitt, the said Thomas Jnnis to keepe an Inn or Ordinary for fīue whole yeares next ensuing the date hereof. So that the said Thomas Innis suffer not any euell Rule or Order to be kept in his said howse during the tyme of this his said License for the using of which license accordingly I the said Philip Calvert doe you to witt that I haue bound the said Thomas Innis in one thowsand pounds of Tob and Caske by Recognizance to the Lord Proprietary of this Province In wittness whereof I haue herevnto sett my hand, and caused his lo^{ps} lesser [seal] of this Province to be herein to affixed this fowerth day of March 1660

Liber
P. C. R.

At a Prouinciall Court held at Saint Maryes on Tuesday the 19th of ffebruary 1660

p. 412
1660/1
Feb. 19

Present Phillip Calvert Esq^r Gouvernor, Henry Coursey Secretary, Robert Clarke Esq^r Baker Brooke Esq^r

The Plantiffe demands in remaine of a Bill of fīue thowsand two hundred twenty ffīue pounds Tob and Caske the sume of Two thowsand ffower hundred Sixty One pounds, W^{ch} being confessed by the deft to remaine due, The Judgment of Court is that Order pass for the plantiffe against the defend^t for the said Sume of Two Thowsand ffower hundred Sixty One pounds Tobacco and Caske with Costs of suite, and soe accordingly ordered.

John Harris
p Attorn.
Mr Henry
Coursey v.
Mr John
Bateman
Adm^r to
Thomas
Belcher
dec^d

M^r John Bateman Administrator to Thomas Belcher deceased came this day into Court, and acknowledged Judgment for two hundred Eighty Eight pounds Tob and Caske due by bill from the said Belcher to Captaine Thomas Cornwaleys. Wherefore it is ordered that the said M^r John Bateman shall forth with pay the said 288^t Tob and Caske to the said Captn Thomas Cornwaleys.

Cornwaleys
v. Bateman
Adminr.

And it was then likewise ordered that the Generall discharge hereafter mentioned shalbe entred on Record vizt

Know all men by these presents that I Thomas Belcher of Patuxent Riuer in the Province of Maryland doe freely acquitt and discharge Thomas Cornwaleys of the Cross in the foresaid Province

Liber Esquier from all debts dues and demands whatsoever from the
P. C. R. begining of the world to this present As wittness my hand this
present 24th of Aprill 1659 Signed Thomas Belcher
Test John Bateman Richard Hotchkeys

Eodem die Present the aforenamed Councillors and M^r John Bateman

Nicholas The plantiffe haueing desired a Scire facias ag^t the deft to shew
Guyther cause this Court why hee should not pay the plt the fees due to him
v. daniell for the imprisonment of the defts wife when shee was indicted of
Clocker felony, And the deft then answeeing that shee was, by Generall
Pardon not to pay any. The Court haueing fully debated the matter
thought fitt, and haue soe ordered that when the plt should ascertain
his ffees and bring the same into Court Order should pass against the
deflt for the fees And accordingly the said Capⁿ Nicholas Guyther
p. 413 brought in his said accompt as followeth vizt Daniell Clocker debtor
for fees due for his wives imprisonment

To 7 dayes imprisonment at 40 ^t Tob p day is	280 ^t Tob
To 2 Juryes 240 ^t	240
To Entry and Release	020
To 4 mens attendance upon the Guard 5 dayes at 30 p day p head is	

And therefore the deflt is ordered to pay the plt according to the
said accompt

Attorney A writt was issued this day Signed by the Gouvernor directed To
General v. the Sherriffe of Saint Maryes County to keepe in safe Custody M^r
Gerard Thomas Gerrard Joseph Wicks and Thomas Hinson to answeere the
et al. Court in such matters as shalbe objected against them on the behalfe
of the Lord Proprietary

eodem die Whereas diuers vexatious suites haue of late by diuers persons for
Small Causes bene Commenced in the Prou^l Court of this Province
Debts w^{ch} might both for the vallue and certaine knowledge of the matter
haue bene tryed in the County Courts It is ordered that from hence-
forward no Suite shalbe originally commenced in the Prou^l Court
for any thing under the vallue of fiteene hundred Pounds Tob, And
for the more orderly proceeding for the future in all causes Ciuill, It
is further ordered that the Clearck shall incerte the certaine dayes for
retourne of all writts into the Court, appointing for euery day
twenty Causes at w^{ch} daies if the plantiffe by himselfe or Attorney
appeare not he shalbe nonsuited, And if the defendant appeare not
either by himselfe or Attorney Judgment shall pass by default. And
it is further Ordered that the Clearck cause a Copy of this Order
to be affixed at the Court doore forthwith, and a list of all causes that
day to be tryed for the future euery morneing before the Court sitt.

All present except M^r John Bateman

Vpon reading of the former Order of the Prou^{ll} Court dated the 11th of december last and consideration had of the Retourne of the Jury impannelled to that purpose. It is ordered the Jureys verdict be entred upon Record w^{ch} is as followeth

December the last 1660, according to an Order of a Prouinciall Court there was a Jury impannelled to inquire concearning the land in dispenche between M^r John Bateman Esq^r and William Mills John Bagby and the rest w^{ch} was

Imp ^r M ^r George Reade	}	Thomas Howe	}	Guie White
....	 Hinderson		James Barham
....			W ^m Loyle
....	

Liber
P. C. R.
Mr John
Bateman v.
Robert
Patrickson
John Bagby
and W^m
Mills
Vide order
fo: 381

The Jury abouemed haueing dilligently viewed the woods, and found the said S^t Nicholas Creeke, and found the Path mentioned in the Pattent of Captaine Cornewaleys deliuered their Judgments vnanimously that the said Creeke and Path is included in the said Pattent to Captⁿ Cornwallis, W^{ch} they found to Run according to the Pattent and Certificat, and further they conclude that the deft haue seated the land mentioned in the aforesaid Pattent of Capⁿ Cornwaleys, And this is the Judgment of the Jury Sworne by the Sher-riffe as Wittnes my hand the day aboue mentioned

p. 414

George Reade foreman.

And whereas by the said Verdict it was found and vnanimously retourned that the Creeke and Path included in the Pattent to Cap-taine Cornewaleys and possessed by the defend^{ts} is found to run according to the Pattent and Cetificat, And the said land being sould by the said Capⁿ Cornwaleys to the p^{lt} It is ordered according to the said Verdict that the said land be to the p^{lt} and his heires for euer, And the defts to pay Costs of Suite

To the honno^{ble} the Governor and the rest of this honno^{ble} Court

Bagby v.
Preston

The humble petition of John Bagby Sheweth That whereas your petitioner bought a parcell of land of Richard Preston, and the said Preston was bound by condicon to defend the said land in all suites of lawe, and your pet^r hath bene arrested concearning the said land, and the said Preston should haue appeared to answere the said suite and to pay all charges that should arise thereby as by Condition will appeare The premisses Considered your petitioner humbly Craueth Order that the said Preston may be compelled to make satisfaction, according to Condition with Costs of suite And your pet^r shall pray

The Condition

Knowe all men by these presents that I Richard Preston doe assigne and make ouer vnto John Bagby and John Webb all my right of two hundred acres of land upon the West side of a Creeke called Harries Creeke upon the Sowth Side of Patuxent Riuer,

Liber according to the bounds laid out to me the said Preston expressed in
P. C. R. the Certificat dated August 13th 1651.

p. 415 And whereas Captaine Thomas Cornwaleys pretendeth some Right vnto the said Two hundred acres of land These Suite or Suites in lawe concerning the same, And if in Case the said land be recouered, by the said Capⁿ Cornwaleys then the said John Bagby and John Webb is to make their Composition with the said Capⁿ Cornwaleys, and the said Preston to pay all charges in the Suite, and to surrender the said land, And if any Tobacco be receiued for the said land by the said Preston, and the land not proue the said Prestons as aforesaid that then all such sume or Sumes of Tobacco soe paid or received as aforesaid shall by the said Preston or his Assignes be repaid back againe to those to it shall belong. In wittness whereof I the said Richard Preston haue hereunto sett my hand this Seuenth of October 1654
Signed Richard Preston

Signed and deliuered in the presence of ffrancis Lacie William Harper.

It is ordered that Richard Preston shall forthwith pay to the said John Bagby the Tobacco which he paid the said Preston for the land in the petition mentioned Together with the said Bagbyes part of the Costs of Suite expended in the Cause betweene John Bateman plantiffe, Robert Patrickson, William Mills and the said Bagby defts concerning the said land.

Trueman
v. Burdett

To the honno^{ble} the Gouvernor and Councill of Maryland

The humble petition of Thomas Trueman Sheweth that your petitioner bought of M^r Burdett fflower Cowes, three young Bulls, and two Heiffers to be deliuered at M^r Stanleys Plantation, and your pet^r did before his going for England Receiue three Cowes and one Bull by M^r Burdetts Order, and Spring was twelue moneth M^r Burdett promised to bring the rest of the Cattle to your pet^{rs} Plantation, but being sick neglected it, since which tyme one of the Heiffers is dead, and since your pet^r came into the Countrey againe, M^r Burdett promised to deliuer one at his plantation in the Roome of that which was lost, and ordered your petitioner to take his other Heiffer with the rest of the Cattle at M^r Standleys your pet^r went up with a shallop to fetch them downe this last Spring, and M^r Stanley denied to lett your petitioner haue the heiffer, and saith that M^r Burdett sould her to him, The premisses Considered your Pet^r Craues Order that the petitioners owne Heiffer at M^r Stanleys may be deliuered upon the pet^{rs} plantation with her yeares milke with
p. 416 Costs of Suite And your pet^r shall euer pray &c.

Executio mde Vpon reading of w^{ch} petition Judgment was acknowledged by the said Thomas Burdett for the Cattle and milke as by the petition desired.

The Court is adiorned till 9 of the Clock tomorrow morning

Wednesday 20^o ffebr, Present as yesterday

The P^{lt} suies the dēft for two thowsand pounds Tobacco as by a Note vnder the hand of the said Thomas Belcher more at large appeareth (vizt) Captaine Guyther I pray faile not to pay vnto Captn Tilghman for my use, two thowsand pounds of Tobacco w^{ch} is for soe much goods bought of him here, therefore I pray besure to make him good payment, for it will much concerne my Creditt, and in doing this for me you will obliedge S^r

Liber
P. C. R.
Feb. 20
Captaine
Samuell
Tilghman v.
Mr John
Bateman
Adm^r to
Thomas
Belcher
deceased

March the 4th 1658

Your freind to Serue you

Tho: Belcher

In presence of Henry Coursey

And upon oath made by the Compt in open Court that hee was not paid any parte of the said sume, The Court Ordered the dēft to pay the said sume of Two thowsand pounds of Tobacco forthwith with Costs of Suite.

Roger Moore Son to Richard Moore late of Patuxent deceased came this day into Court and complaines against John Hambleton Reputed Guardian to the Complainant that he does not giue him Clothes &c. W^{ch} Cause is hereby referred to the County Court to doe therein what is fitt and iust, And it is further ordered that M^r William Ewens take into his Care the Complainant, and to furnish him with such necessaries as is fitting vntill further order from the said County Court.

Moore v.
Hambleton

The Plantiffe demands Corne and Clothes according to the Custome of the Countrey after serueing his tyme wth the dēft of fower yeares. To w^{ch} the defend^t answered that he bought the p^{lt} for Seuen yeares, and there being no Indentures, and by the examination of one upon oath sworne in open Court that hee heard the p^{lt} say there was Indentures drawne for his serueing yeares, but did not signe to the same, And the Court haueing referred the matter to a Jury they retourned their Verdict as followeth

Wm Knags
v. Robert
Kenly

The names of the Jury

p. 417

Mr Richard Smyth foreman	}	W ^m Styles	}	Jur
Walter Pakes		Mr John Luger		
Mr Nicholas Young		Hugh Beuin		
Michael Basey		Richard ffoster		
Daniell Clocker		W ^m Harper &		
W ^m Browne		James Thompson		

who retourned thus

The Verdict of the Jury wherein they haue agreed that a Seruant comeing in at Sixteene yeares of age wthout Indentures ought not to serue aboue fflower yeares according to the Custome of this Province, And It is furthermore agreed upon by this Jury upon

Liber further and Serious viewe taken that the p^{lt} hath sufficiently fulfilled
P. C. R. and compleated his servitude according to the Custome of this Province
Signed Richard Smyth foreman

who was agreed by the rest of the Jury to speake for them The Judgment of the boord is that the p^{lt} haue his Corne and Clothes of the dēft according to the Custome, and the dēft to pay Costs of suite in this Cause, and that the p^{lt} haue his freedome according to the Verdict of the Jury and accordingly it is soe ordered.

one wittnes 4 dayes coming & goeing & 2 dayes attendance at 30^l p diem 180^l To the Jury

Refusal to take Constable's Oath James Rigby presented to the Court for denying to take the Oath of Constable, who being called to this Court, and that hee in open Court denyed to take his Oath to serue as Constable. It was putt to the vote of the Boord how long he should be imprisoned for his contempt of this Court in that particular whereupon the Court ordered that hee be Six monethes imprisoned

The Sheriffe of An Arundell County is to keepe the said James Rigby Prisoner for the tyme in the aboue said order mentioned.

Hawker v. Mathews To the Right honno^{ble} Gouvernor and Councill of the Province of Maryland

p. 418 The humble petition of Thomas Hawker, Humbly sheweth That whereas your Pet^r haueing compleated his tyme of servitude to M^r Thomas Mathewes, And at the expiration of the said tyme your pet^r did deliuer up his Condition vnto the said M^r Mathewes in the presence of M^r Richard Willan and Bryan dayley, desiring M^r Mathewes to reade the same in their hearing, whereby they might vnderstand what was therein properly belonging to your pet^r for his tyme of Service, which the said M^r Mathewes denyed to reade the same and putt it up, whereupon your pet^r demanded his Right of wages according to what the Condition did bind the said M^r Mathewes vnto, w^{ch} was to pay unto your pet^r, at the expiration of the tyme therin mentioned the full vallue of ten pounds sterling to be paid in Cattle wherupon there is one Cowe and one Steere that were marked for your pet^r in parte of payment, w^{ch} said Cattle with what more shall surmount to make up the vallue of ten pounds, The said M^r Mathewes denyeth and detaineth to make payment Wherupon your pet^r humbly desireth your honnors to order your poore pet^r his Right according to lawe and iustice wherein

Your Pet^r shalbe euer bound to pray

Thomas Ward aged twenty three yeares or thereabouts sworne in open Court Deposeth by vertue of his Oath that he read a Condition betweene the p^{lt} and defend^t that the plantiffe was to serue the defend^t ten yeares, and at the expiration of his tyme the dēft was to giue ten pounds sterling or the vallue thereof vnto the p^{lt}, and if the

Cattle w^{ch} the defen^t shold giue vnto the p^{lt} had not bene worth the said sume to choose two men, and what they should agree, that M^r Mathewes was to make good the full vallue of ten pounds. Liber
P. C. R.

Thomas Griffin aged twenty one yeares or thereabouts Sworne in open Court deposeth by vertue of his Oath that there was a condition betweene the plantiffe and defend^t and the defend^t gaue the p^{lt} two yeares of his tyme, and a Cow Calfe, and in case that this Cowe Calfe did not amount to the vallue of ten pounds then both parties were to choose two men to decide the Controversy betweene them, and what they did agree, M^r Mathewes should giue to make up the full vallue should be given accordingly

The petition of the said Thomas Hawker being read, & the examinations of both the said wittnesses considered The Court therefore ordered the dēft to pay the pet^r the full vallue of the ten pounds according to condition with Costs of suite

The Complainant sueth for to know by what power he the said dēft purchased a Catch from him for the vse of M^r Brenton of New England, To w^{ch} the dēft consents and produces to the Court a lēre from the said Brenton dated the 23th of August 1659 The Court orders that the said Letter be recorded and Copy thereof giuen to the Complainant p. 419
John
Hawkins
p Attorn.
Walter
Pakes v.
Daniell
Hutt def^t
Vid 2 letters
entred fo.
408, 409
Grand Jury

Seuerall warrants issued to the respective Sherriffes of the Counties hereafter mentioned to retourne members to a Grand Jury, who retourne as followeth vizt

The Sherriffe of St Maryes County

M ^r Robert Cole	M ^r John Waran	M ^r Richard Bennett
M ^r Richard Lloyde	M ^r W ^m Browne	M ^r Walter Pakes

Calvert County

Beniamen Brasheers	M ^r Thomas Trueman	M ^r William Ewens
Hugh Stanley	M ^r Arthur Ludford	George Peake ret. lame

Ann Arundell County

M ^r Samuell Withers—chosen foreman.	M ^r Edward Towning retourned lame Thomas Meares refused the Ooth
M ^r Roger Grose	Richard Beard also refuses &
M ^r Anthony Sallaway	Phillip Thomas also refuses.

Kent County

M ^r W ^m Leedes	M ^r Thomas Ringould	M ^r Nicholas Pickard.
--------------------------------------	--------------------------------	----------------------------------

Liber
P. C. R. So as all except those retourned lame & who refused to sweare
were this day sworne, as a Grand Jury.

M^d that the refusers to sweare forfeit their issues

Daniell
Clocker v.
Thomas
Ward and
W^m Martyn
defts
p. 420 The Complainant sueth for a hogg w^{ch} he and his Son in Lawe
Thomas Courtney had killed in the low grounds, it being his owne
and that leauing him in the woods for a short tyme . . . and carryed
him away to the howse of the widdow Martyns. Vpon the Confes-
sion of the defts that they did Carry the said Hogg as abouesaid It is
Ordered that the defend^t restore the said Hogg againe or the full
vallue thereof with Costs of Suite.

Hawkins v.
Hutt To the honno^{ble} Gouvernor and Councill

The humble Petition of John Hawkins Sheweth whereas daniell
Hutt being Attorney of M^r William Brenton of New England
marchant, Your pet^r humbly desireth that the said M^r Daniell Hutt
may be compelled by this honno^{ble} Court to giue so sufficient security
to your Pet^r that his Pay may be ready according to the tenno^r of
the Bond And y^r pet^r shall euer pray as in duty bound.

The Pet^r haueing not stated his suite legally, It is ordered that a
Nonsuite be in this Cause.

Utye v.
Gary To the Right worshipfull Philip Calvert Governor, and the Rest
of the Councill of Maryland

The humble petition of Richard Collett Attorney of M^r Nathan-
iell Vtye, Sheweth that whereas Stephen Garye standeth indebted as
by Bills will appeare the sume of One thowsand one hundred and
Sixty two pounds of Tobacco and Caske, whereof I haue assigned
ouer fflower hundred and twenty pounds of Tobacco in Caske of the
Eight hundred bill to M^r William Hampstead, so there remaines due
upon them bills Seuen hundred fforty two pownds of Tob in Caske
upon them Bills, More upon accompt upon Booke for goods three
hundred and Six pounds of Tob in Caske, so there is due to M^r
Nathaniell Vtye one thowsand fforty Eight pounds of Tob in Caske
w^{ch} your pet^r Craues order for present pay, with Costs of suite

And your petitioner shall pray

Vpon reading of w^{ch} petition, and that the defend^t confessed to be
owing the p^{ht} three hundred Sixty two pounds Tob and Caske for w^{ch}
he was indebted by bill to Thomas Belcher deceased or his Assignes
dated the twentieth of September 1655, It is ordered that the defend^t
forthwith pay to the p^{ht} the said three hundred Sixty two pounds Tob
and Caske with Cost of suite, And for the Rest of the Bills and
Reckonings in the petⁿ mentioned in regard the p^{ht} produces no
authority to receiue them he denyes payment to the p^{ht}.

To the honno^{ble} Governor & Councill

Liber
P. C. R.
Pake v.
Veitch

The humble petition of Walter Pake Sheweth that whereas James Veitch stands indebted to the pet^r the full sume of fflower hundred hand doth appeare, And the Pet^r accepting of his note with the Consent of the said James Vech, and since M^r John Hollis being fatally killed your pet^r is outed out of his Tobacco to his great loss and damages. May it therefore please this honno^{ble} Court to consider the premisses, and grant your pet^r an order for his Tob with Cost and damages. And hee shall euer pray as in duty bound :

p. 421

Whereupon the pet^r produced the ensuing note and assignm^{ts} thereupon, Vizt Maior Hallews S^r haueing this opportunity I thought good to write to Concearning John dandy, Belleys and other Tulls that you haue in your Custody M^r Smyth has gott a order for you upon John Dandyes estate for 498^t Tob that I will ingage to pay to whom you will please to appoint, S^r I had order from the Court to write concerning the Tooles of John Dandy w^{ch} I hope you will deliuer to his wife In soe doing I rest yours to comānd

[Bellows
and other
Tools]

James Veitch

This 15th of October 1657 Assignm^t

M^r Veitch pray pay this Tobacco to Walter Pake Oct 30th 1657
John Hollowes.

And the defend^t by his Attorney Gyles Sadlier appearing and not makeing any thing appeare matteriall why the pet^r should not be paid fowre hundred Nynty Eight pounds Tob and Caske due by the note aforesaid. The Court thought fitt, and soe ordered that the pet^r be paid the said 498^t Tob and Caske wth Costs suite by the dēft.

Veitch his letter of Attorney to Sadlier

Know all men by these presents that I James Vech doe constitute and appoint my loueing freind Giles Sadler gent my true and lawfull Attorney for me & in my name to answeare any suite or suites depending in this Prou^l Court, and what my said Attorney doth I doe hereby ratify and confirme as if I were personally present, As wittnes my hand this 16th of ffeb 1660

Signed James Veitch

Testes John Reede ffrancis Jackson.

To the honno^{ble} the Gouvernor & Councill

Kedger v.
Taylor

The humble petition of Walter Pake Attorney for M^r Robert Kedger Sheweth that whereas M^r Robert Taylor standeth indebted to your petitioner the full sume of Seven hundred pounds Tob and Caske, as, by specialty vnder his hand doth appeare, The premisses Considered the pet^r humbly Craueth an order for his iust debt, And your pet^r shall allwaies pray as in duty he is bound

And the defts Attorney M^r Thomas Manninge denying the Bill w^{ch} could not then be proued. This Cause is nonsuited, and the plt to pay Costs of suite.

Liber
P. C. R.
p. 422
John Hobbs
v. John
Gottley als
dowle deft

In regard the p^{lt} doth not proceede in this Cause ag^t the defend^t,
It is ordered on motion of M^r W^m Hardidge Attorney for the deft
that this Cause be dismissed, and the p^{lt} to pay Costs of suite for his
vniust vexacōn in this Cause.

Re Allen

Roger Allen seruant to M^r Henry Coursey coming into Court,
And in regard hee had no Indentures, and being very young, and that
the Sence of the Boord was demanded what tyme they thought fitt
the said Roger should serue The Court deliuered their opinion that
he should serue fore Six yeares.

Coll Nath:
Vtye by his
Attorney
Rich:
Collett v.
W^m Bretton

Vpon perusall of all acc^{ts} & papers belonging to this Suite the
Court doth finde that the ballance of acc^o is 173^t tob. due to the
Complt which is ordered accordingly:

Thursday 21th of ffebr

Present as aforesaid

Feb. 21
Brockett v.
Marsh

To the honno^{ble} the Gour & Councell of Maryland

The humble petition of Samuell Brockett Sheweth that whereas
your petitioner has right in behalfe of his wife to a Tract of land in
Kent, and M^{rs} Sarah Marsh vniustly detaines it from your pet^r,
your pet^r humbly Craues order peaceably to enioy the said land. And
your pet^r shall pray &c

The deft M^{rs} Sarah Marsh by her Attorney M^r Richard Smyth
answeres that shee does not knowe whither of right the p^{lt} ought to
demand the land in the petⁿ mentioned. To w^{ch} the p^{lt} produced in
Court a Certificat w^{ch} is as followeth (vizt) Wee whose names here
are vnder written doe declare that An the wife of Samuell Brocket
was the daughter of John Abbott of the Isle of Kent in the Province
of Maryland, and this wee can depose when we are lawfully called

The H H. marke of Hannah Lee Andrew Δ Basha his marke.

Wth w^{ch} the defts Attorney rested satisfied; and thereupon this
Cause is respitted by the Court till next Prou^{ll} Court.

William
Styles p
Attorn.
Mr Tho:
Maninge v.
John Pile
p Attorn.
Thomas
Turnor
p. 423

To the honno^{ble} the Gouvernor and Councel of Maryland

The humble petition of William Styles Sheweth That whereas
John Pile after he had disposed of a Servant the space of a yeare or
thereabouts pretended to your pet^r a Right in him, and sould the same
Servant (w^{ch} he formerly had Humbly Craues that the said
And upon full hearing and debate of the Cause on both sides, The
Court found no cause of Suite, and therefore non suite was graunted
in this Cause.

Know all men by these presents that I John Piles of Saint Maries
in the Province of Maryland gent haue constituted, deputed and

Ordained, and by these presents in my place and steed do constitute
 depute and Ordaine my loueing freind Thomas Turner of Saint Liber
 Winifride in S^t Clements bay gent my true and lawfull Attorney P. C. R.
 to appeare make answeare and defend for me and in my name in all
 manner of actions Comenced against me the said Piles by W^m
 Tethershall and W^m Stiles of S^t Maryes County Planters, and what
 my said Attorney shall lawfully Act, and do in the premisses I the
 said John Piles doe hereby owne ratify and confirme the same to be
 my Act and deede, Giueing and hereby granting unto my said At-
 torney as full and ample power to act in the premisses, as I my selfe
 could haue had being personally present. Wittness my hand this 13th
 of ffebr Anno domini 1660 John Pille

Testes John Clarke John Steeuens.

To the honno^{ble} the Gou^r & Councell for the Province of Maryland. Cornwaleys
 v. Spinke

The humble complaint of Thomas Cornwaleys against Henry
 Spinke, Sheweth that the said Henry Spinke is indebted to the
 Complt three hundred ffifty One pounds of Tob w^{ch} hath bene due
 two yeares, and often demanded but not yet paid. As also being
 Sherriffes Deputy contrary to lawe and iustice, and to the great
 disparadgment and damage of the said Complainant, vpon a gennerall
 warrant of Execution for ffees due to Roger Isham Clearck w^{ch} by
 his aquittance vnder his hand was but 236 pounds of Tob; Tooke
 from the Complt upon the same pretence a Principall hhd of Tobacco
 freighted in the Eere of New England Arnold Elsey Master weigh-
 ing neate three hundred Eighty Six pounds, whereby not onely the
 said ffreight was frustrated, but also the said Isham in a braueing
 manner and to the discredit of the Comp^t tould the Master of the
 said Ship that hee should not haue the said hogshed, but that he had
 laid an execution on it, for w^{ch} the Complt desireth Justice against
 the said Sherriffe for exceeding his writt, and thereby much dam-
 madging the Complt And he shall pray &c

Tho: Cornwaleys

. . . . and cravd allowance of fifty nyne pounds Tob and Caske p. 424
 by vertue of a letter of Attorney from William Tenahill to him to
 that purpose, as by the said letter of Attorney hereafter mencōned
 more at large appeth vizt

Know all men by these presents that I William Tennehill do con-
 stitute Henry Spinke my lawfull Attorney to discount, or by any
 lawfull meanes to recouer a debt due vnto me from Captaine Thom-
 as Cornwaleys upon ballance of an hogshhead Tob paid to M^r John
 Abington for the said Cap^{ns} vse It being fifty Nyne pounds of Tob
 and Caske And all and euery thing or things my said Attorney
 shall lawfully doe in the premisses, I doe hereby Ratife and confine,
 Wittness my hand 18 ffebr 1660 William I Tenahill

Wittnes John Lawson William M Canaday his marke

Liber P. C. R. W^{ch} ffifty Nyne pounds being allowed There remaines due to the p^{lt} two hundred Nynty two pounds Tob and Caske. The Judgment of the Court is that the dēft pay forthwith to the p^{lt} the said 292^t Tob and Caske with Costs of Suite.

Feb. 22
Act of
Indemnity ffryday 22 ffebr Present as aforesaid
To the demand of the Grand Jury (vizt) Whither as a Grand Jury it belongs to vs to take notice of his Ma^{ties} gennerall Act of Indempnity

It is answered by the Court that considering they are sworne onely to inquire what offences haue bene comitted not what haue bene pardoned, they do iudge that as a Grand Jury it belongs to them onely to take notice of what hath bene committed

Signed by appointm^t of the Court P Bathe

Thomas Adams by
his Attorney John
Hawkins v.
Abraham
Sheeres The p^{lt} desires Eight thowsand three hundred thirty Eight pounds of Tob due by the dēft by bill dated the 29th of March 1659 payable the 10th of Nouember following, as by the said bills assignment and letter of Attorney thereupon more at large appeareth vizt This Bill bindeth me Abraham Shears of Surrey County his heires or Assignes to pay or cause to be paid vnto Thomas Adams of the Isle of weight County his heires or Assignes the full and iust sūme of 8338^t of good sound marchantable Tobaccoes according to the Act now established payable at or before the tenth of Nouember next ensuing the date of this presents at some convenient place in the County of Surrey, As wittness my hand this . . .

p. 425 I doe assigne ouer all my Right, Tytle and intrest of this within specified bill to M^r John Hawkins, wittnes my hand this 15th of december 1660. Tho. Adams

Test Edward Bushell

M^r John Hawkings pray doe me the fauor as to recouer from M^r Abraham Shears being now as I heare at Wiccocomako the within specified Sūmes either by lawe or otherwise, and what you shall doe therein I shall ratify and allow of as an action of my lawfull and deputed Attorney Wittnes my hand this 15th of december 1660

Test Edward Bushell John Pierce.

Tho: Adams

To all w^{ch} the defend^t answered that p duress of imprisonment hee was forced to giue the said Bill to the p^{lt}, and it being putt to the vote whither a lawfull imprisonm^t or not

M^r Lloyd is of opinion that it is a lawfull imprisonm^t

M^r Bateman that it was no lawfull imprisonm^t

M^r Brooke the same with M^r Bateman

M^r Clarke that it is a lawfull imprisonm^t

M^r Coursey the same with M^r Clarke

The Gouvernor that it is noe lawfull imprisonm^t

And it being by the Maior Vote of the Board resolved that it is no lawfull imprisonment, A non Suite is granted in this Cause.

A Subp^a ad testificand issued for M^r Mathew Clarke in this Cause & was returned. Liber
P. C. R.

To the honno^{ble} the Governor and Councell of this Province Cole v.
True

The humble petition of John Abington Attorney of Richard Cole Sheweth that Richard True doth owe and stand indebted to the said Cole the sume of fower hundred pounds of Tob and Caske as p specialty may appeare. Your pet^{rs} humble request is that he may haue an order of this honno^{ble} Court for his debt with damage and Charge of Suite, And he shall pray

W^{ch} Specialty in the petⁿ mencōned being produced in Court, and the dēft confessing Judgm^t thereupon. It is ordered that the deft pay the said fflower hundred pounds Tob and Caske together with Costs of suite in this Cause. It is likewise ordered that the specialty be Cancelled.

The Plantiffe demands one thowsand Pounds ster. of the deft Elizabeth according to a Bond entred into by her in the tyme of her viduity as Administratrix to Symon Overzee deceased her former husband. To w^{ch} the defts by their Attorney M^r Thomas Manning pleaded shee was no Administratrix haueing no lawfull letters of Administration. p. 426
Augustine
Herman
by his
Attorney
Richard
Smyth v.
Maio^r
George
Colclough &
Eliz his
wife by
their
Attorney
M^r Thomas
Manninge

Therefore it was putt to the vote of the Boord whither the Bond stood vallid as Administratrix or not, and the Vote was as followeth M^r Edward LLoyd is of opinion that she was no Administratrix at the tyme of entring into the Bond, M^r Bateman the same opinion with M^r LLoyde, M^r Brookes saies that it is a Bond for Arbitracōn, M^r Robert Clarke that she was Adm^{ix}, M^r Coursey in all equity thinkes it is a Bond, And the Gouvernor is of opinion that the Bond of Arbitration is voide

Therefore it being the Maior Vote that the said Bond is voide, A non Suite is graunted in this Cause

The p^{lt} demands of the dēft the forfeiture of a Bond of fwe hundred pounds entred into by Capⁿ W^m Stone bearing date the fowerteenth of Nouember 1656 for the payment of two hundred thirty nyne pounds and three pence to the p^{lt}, And by consent of both p^{ties} p^{lt} and deft It is agreed that M^r Henry Meese and M^r Nicholas Spencer marchants auditt the accompts betweene both parties, and to retourne to the Court the true ballance of the accompts twenty pounds Eighteene shillings and three pence ster. as by the said accompt w^{ch} hereafter followeth more at large appeareth, vizt Thomas
Tolson
by his
Attorney
Capⁿ
Thomas
Cornwaleys
v. Thomas
Stone
Executor
to his father
Capⁿ W^m
Stone

M^r Thomas Stone Deb^r for his father W^m Stones acc^t.

To the ballance of an accompt the 29 th of Aug. 1660 as appeares <u>being the last acc^t</u>	}	38 ^t : 18 ^s : 03 ^d 18 : 00 : 03 <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> 20 : 18 : 03
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Liber
P. C. R.
p. 427
The 6 hhds
were proved
to be the
Crop of
Capⁿ W^m
Stone by the
oath of
Mr Thomas
Stone

¶ Contra Creditor

¶ 6 hhds Tob were of hath allowed w^{ch} he hath giuen Creditt for but at 40^s ¶ hhd, w^{ch} if M^r Stone can make appeare by wittness, or his owne Oath, then he is to haue Creditt for three pound ¶ hhd more for the same 18: 00: 00 ¶ agreem^t it appears that M^r Toulson was to receiue 350^t Tob neate in euery hhd at 5^t ¶ hhd, but by M^r Stones accompt it appears by the weights here that there is fower hhds at 350 ¶ hhd more then M^r Tolson hath giuen Creditt for at 5^t ¶ hhd W^{ch} sume of twenty pounds Eighteene shillings and three pence It is ordered that the debt do pay accordingly But the debt alleaging hard vsage in accompt of Clothes and as Carpinter. It is therefore ordered that executōn be suspended in this suite vntill the plt make oath to the accompt of Clothes and Carpinter menconed in an accompt betweene them

On demand of M^r Thomas Stone the ensuing examination is recorded vizt, John Williams aged about thirty yeares maketh Oath that being hired by Capⁿ W^m Stone late deceased his Overseer made by myselfe and his folke to his Cropp in the yeare 1659 thirty Six hogsheds Tob whereof fowerteene Swite sented all the said tob. to my knowledge be putt aboard Sloopes of the plantation under the Notion of being sent for England to M^r Tolson And further saith not

John & Williams

Coram me Jur Tho: Stone.

Know all men by these presents that I Thomas Tolson Cittizen and Haberdasher of London haue made constituted and ordained and by these presents doe make constitute and ordaine & in my stead and place putt and appoint my loueing freind Thomas Cornwaleys of London marchant my true certaine lawfull and irrevocable Attorney deputy and Assignee for me and in my name and to my proper vse and behooffe to aske demand leuy sue for recover demand and receiue by due order of lawe or otherwise of and against Thomas Stone of Merryland in the parts beyond the Seas marchant all such debts duties sume or Sumes of money as is due or owing unto me by or from him or his late father W^m Stone deceased to whom the said Thomas is Executor or either of them. Giuing and by these presents Granting unto my said Attorney and to his Attorney and to his Attorney or Assignee in that behalfe my full power and lawfull authority to doe execute conclude fulfill and finish in and about the premisses whatsoever shalbe requisitt and necessary, as amply and effectually in every respect and to all intents and purposes, as I my selfe might or could doe, or cause to be done being, or if I were or should be personally present, at the doing thereof, Bee the same by arrest, suite, restraint Seizure Attachment, or by any other good and lawfull waies or meanes whatsoever or howsoever, And vpon recovery or receipt of the same premisses or any parte thereof for

me and in my name and as my Act and deede to make Seale and deliuer such acquittance or other discharge as shalbe thought meete, Ratifying approueing and confirmeing all and whatsoeuer my said Attorney shall herein doe or cause to be don by these presents In wittness whereof I haue hereunto sett my hand and Seale the Nyne and twentieth day of August Anno domini 1660, and in the twelfth yeare of the Raigne of our Soveraigne Lord King Charles the Second over England &c. Tho: Toulson

Liber
P. C. R.

Sealed and deliuered in the presence of Test Ral. Story Robt Morris Ri: Burclon.

The Indictment retourned by the Grand Jury aforenamed ag^t Thomas Gerrard whereupon they retourned Billa Vera.

Attorney
General v.
Gerard
Vide 1 Md.
Arch. Ass.
389

The Jury doe present for the Lord Proprietary That Thomas Gerrard Esq^r, of St Clements Mannor in the County of Saint Maryes contrary to his fidellity to the Right honno^{ble} the Lord Proprietary due, not haueing the feare of God before his Eyes, but by instigation of the Diuell mutinously and seditiously contrary to the Act of Assembly in that case provided within this Province of Maryland the dominion of his Lo^p ouer and in this Province aforesaid to take away hath plotted, contriued and by force attempted that is to say. On Tewsday 13th of March 1659 at the howse of M^r Robert Slye marchant in St Clements Mannor in the County aforesaid, by word and writeing ag^t his lo^{pps} lawfull power of makeing lawes within this Province, by the express words of his Pattent to him granted did declare.

And further also do present that the said Thomas Gerrard did with Josias ffendall, John Hatch W^m ffuller Sampson Waring Thomas Hinson Joseph Wickes William Burgess and divers others calling themselues an Assembly to one Act entituled an Act for repealeing all former Acts consent as also to another Pretended Act Entituled an Act providing against any disturbance in the present Government Soe as it was Established by that pretended Assembly, And to divers other Acts tending and dominion over this Province, and also the makeing of Josias Fendall vnder them Gouvernor of this Province, and constituting Millitary Officers daniell Clocker Richard Bankys and others

p. 429

And further also do present that the said Thomas Gerrard hath in opposition to his Lo^{ps} iust rule and dominion seuerall Writts and process signed vizt 12 Septembris 1660 by vertue of his pretended power from the pretended Assembly receiued, held Councells with Josias Fendall Robert Slye and Nathaniell Vtye 15 September publishing a Declaration comāding all persons to owne no authority but what came imediatly from his Ma^{ty} or the Grand Assembly of this Province thereby colourably sheltring his Rebellion under a pretence of his Ma^{ties} Sacred name to the great derogation from the

Liber
P. C. R. iust power of his lo^p, and the Subversion of the Government of this Province and contrary to the peace of his said Lo^p his rule and dominion.

Attorney
General v.
Fendall
Vide 3 Md.
Arch. Coun.
395 The Indictm^t retourned by the Grand Jury aforenamed ag^t Josias Fendall late Gouvernor of this Province, wherupon they retourned Billa Vera

The Jury do present for the Lord Proprietary that Josias Fendall late Governor of this Province of Maryland contrary to his Oath and trust, not haueing the feare of God before his Eyes, and by instigation of the Diuell mutinously & contrary to the Act of Assembly in that case provided within this Province of Maryland, the Dominion of his lo^p over and in this Province aforesaid to take away hath plotted contriued and by force attempted that is to Say

[Vide I Md.
Arch. Ass.
389] On Tuesday 13th March 1659 at the howse of M^r Robert Slye Marchant in Saint Clements Mannor in the County of Saint Maryes by word and writeing ag^t his lo^{ps} lawfull power of makeing lawes within this Province by the Express words of his Pattent to him granted did declare

And further do present that the said Josias Fendall did with Thomas Gerrard, John Hatch, W^m fuller Sampson Waring Thomas Hinson and Joseph Wicks and William Burgess and divers other persons calling themselues an Assembly to one Act entituled an Act for repealing all former acts falsely and ag^t the express words of his Comission consent, As also to another pretended Act entituled an Act providing ag^t any disturbance in the present Government whereby they made it fellony for any person to disturbe the Government soe as it was established by that pretended Assembly, and to divers other Acts tending to abolish his lo^{ps} iust rule and dominion over this Province

And further also do present that the said Josias Fendall by force the dominion of his said lo^p to take away hath attempted (vizt) vpon the 28th day of March signing Comissions to Millitary Officers, and afterwards in the moneths of July August and . . . the forces by those officers raised

p. 430 And further also do present that the said Josias Fendall hath in opposition to his lo^{ps} iust rule and dominion severall writts as well in Causes Ciuill as Criminall signed and proces by vertue of his pretended Commission from the said pretended Assembly receiued the 5th of May 30th and 31th of July 16th of August 21th of September and 15th of Nouember held Councells with Thomas Gerrard Robert Slye and Nathaniell Vtye 15th of September publishing a declaration comanding all persons to owne no Authority but what come imediately from his Ma^{ty}, or the Grand Assembly of this Province thereby collourably sheltring his Rebellion vnder a pretence of his Sacred Ma^{ties} name, And also a letter dated 20th of Nouember, and after

[The
records of
these Council
meetings are
lost]

knowledge of his Ma^{ties} Comānds to haue his lo^{ps} iust Rights within this Province according to his Pattent restored to the Governor Philip Calvert Esq^r, did writē menacing to vindicat himselfe by the best meanes he could vnless he might haue such tearmes granted him as in the said Letter he required

Liber
P. C. R.

And further doe present that on the 28th and 29th of Nouember the said Governor he did then threaten with force saying the people in Charles County were in Armes to rescue him if he retourned not the sooner, or should by him the said Governor be detained Prisoner to the great derogation from the iust power of his Lo^{pp}, and the subversion of the Governm^t of this Province, and contrary to the peace of his said Lo^p his rule and dominion

To the hono^{ble} the Governor and Councill of Maryland

The humble peticōn of Josias Fendall humbly Sheweth That yo^r peticon^r hath Justly fallne into the High displeasure of his Lo^p the Lord and Proprietary of this Province of Maryland through some vnadvised and Indiscreete accōns of his which he did, whereof he was this Courte Summoned to give an accompt, And haveing seriously wayed his greate rashnes and Folly in doing the same, he doth humbly accknowledg his greate offence and hartily begg his Lo^{ps} gracious pardon and the favor of this hono^{ble} Courte And he shall as in duty bound pray

Signed Josias Fendall

To the Right hono^{ble} Governor and Councill of the Province of Maryland

Attorney
General v.
Gerard

Sheweth That Whereas yo^r peticon^r was apprehended to appeare at a Pro^{all} Courte to be held the nineteenth day of February to answer to what should be objected against him on the behalfe of the Lord Proprietary. Yo^r peticon^r (not knoweing what may be layd to his Charge) yett being vpon mature deliberacōn Sensible that through Ignorance something hath been done by him whilst this Province was without Government which the Lawes doe Contradict, and hath thereby Incurred the just displeasure of his Lord^p for which indiscrecōn and miscarriage yo^r pet^r is hartily Sorry and humbly implores the Gracious pardon of his Lord^p and the favourable Censure of this hono^{ble} Courte &c. Yo^r pet^r shall be ever bound to pray &c.

P. 43ⁱ

Signed Tho: Gerrard.

The Indictmt retourned by the Grand Jury aforenamed ag^t Hannah Rogers wherevpon they retourned Billa vera

Attorney
General v.
Rogers

Let it be Enquired for the Lord Proprietary whether Hanna Rogers late Servant to Samuell Chewes of the Herring Creeke in the County of Ann Arrundell Spinster vpon the 31th day of May in the yeare 1660 vpon the person of Richard Steevens Servant alsoe to the

Liber
P. C. R. said Chewe of the place aforesaid at the tyme aforesaid and assaulte did make and with a Hoe which she in both her hands did hould a greivous wound in the head did give of which wound the said Richard Steevens did dye and soe the said Hanna Rogers the said Richard Steevens feloniously did kill and murder Contrary to the peace of his said Lop. his rule and dominion

The Jury doe present for the Lord Proprietary that Hannah Rogers late Servant to Samuell Chewe of the Herring Creeke in the County of Anne Arrundell Spinister vpon the 31th day of May in the yeare 1660 vpon the person of Richard Steeuens Servant alsoe to the said Chewe of the place aforesaid at the tyme aforesaid an Assaulte did make and with a hoe which she in both her hands did hould a greiuous wound in the head did give of which wound the said Richard Steeuens did dye, and soe the said Hannah Rogers the said Richard Steeuens feloniously did kill and murder contrary to the peace of his said Lōp, his rule and dominion

25 Feb. Being asked whether she was Guilty or not guilty she answered not Guilty and being demanded by whome she would be tryed answered by God and the Country

whereupon was Impannell'd a petty Jury vizt

1 Mr Thomas Turner Foreman	}	Mr Richard Forster
2 Mr Thomas Mathews		Mr Thomas Stone
....		Mr Robert Macklyn
....		Mr Thomas Burdett
....		Mr William Green
....	

p. 432 The Jury haue retourned their Verdict not Guilty

Attorney
General v.
Harris The Indictment retourned by the Grand Jury ag^t Elizabeth Harris whereupon they retourned billa vera. Let it be Enquired for the Lord Proprietary whether Elizabeth Harris late of S^t Clements hundred in the County of S^t Marys Spinster in the Easter holly dayes in the yeare of our Lord 1657 at S^t Wynifrido in the County and Hundred aforesaid then and there a certaine man child alive did bring forth and afterward the said Elizabeth at S^t Wynifrido aforesaid the aforesaid Infant liueing did throwe out of Doores hard by the Landing, by which the said Infant imediately did dye and soe the said Elizabeth Harris the said Infant at the place and tyme aforesaid feloniously did kill and murder contrary to the peace of his Lo^{ps} rule and dominion

The Informacōn of Robert Joyner aged twenty six yeares or thereabouts Sworne and Examined the fourth day of January 1660 Sayth That he this depon^t in Easter Holly dayes in the yeare 1657 liuing at M^r James Langworths howse went to helpe hawle a Cow out of the Mire and retourning homeward by the water side there was a woman Servant called Elizabeth now the wife of Samuell

Harris and one John Gee retourned with this depon^t: And hard by the landing place this depon^t did see as it were a bundle of Lynnen and out of itt hung a thing much like vnto fish gutts and this depon^t asked the woman Servant, whats this that looketh like fish Gutts And the woman replied that they were fish gutts And this depon^t would haue faine seene what it was But the woman pushed this depon^t away and Snatcht it up and flung it into the water and this depon^t run into the water and fetched it out and opened the Cloth and there was a man Child within itt, And John Gee standing by did see the child when this depon^t opened the Cloth And the woman sayd burye itt, But this depon^t and John Gee and the woman went vp to the howse together And this depon^t did intend to acquainte M^r Langworth with itt, but the howse being full of Company thought best to lett it rest vntill the next morning And this depon^t went to the water side the next morning and the Child was taken away and further sayth not.

Liber
P. C. R.

The marke of R Robert Joyner

Jurat coram me William Evans

John Gee sworne and Examined the Eight day of January 1660 aged twenty seauen yeares or thereabouts Sayth That he this depon^t being at the howse of M^r James Langworth in the tyme of Easter in the yeare 1657 went to helpe to hawle a Cowe out of a Swamp with Robert Joyner and as they were hawling the Cowe out Elizabeth now the wife of Samuell Harris then Servant to M^r James Langworth came to them and as they were againe retourning to the howse by the water side their lay a Bundle of Clouts And the said Joynor asked the said Elizabeth what that was, and the said Joyner goeing to see what it was, the said Elizabeth pushed him into the water from itt And the said Joyner snatching at it the Bundle broake and there appeared the face of a dead child it being black in the face and this depon^t and the said Joyner were intended to speake of itt to M^r Langworth, but the howse being full of Strangers did not And this depon^t went home the next morning And further sayth not.

p. 433

The marke of ψ John Gee

Jurat coram me William Evans

The Examinacōn of Elizabeth the wife of Samuell Harris taken before Coll W^m Evans one of his Lordships Justices for the County of S^t Marys the Eight day of January 1660 Sayth That shee did see the Child

Walter Hall Ck:

The Deposicōn of Margaret Marshguy aged twenty foure yeares or thereabouts sworne and examined the fift day of February Anno domini 1660 Sayth, That she this depon^t being the fellow Servant of Elizabeth Harris the now wife of Samuell Harris whoe came in both Servants into the Province of Maryland sometyme in February in the yeare of our Lord 1646 and were consigned to James Langworth in

Liber P. C. R. St Clements Baye in the aforesaid Province gent where she this depon^t did at her first comeing into the Province often lye with the aboues^d Elizabeth, but did never knowe nor as much as suspected that the abouesaid Elizabeth was ever with Child nor did never at any time from their first being accquaynted to this p^esent houre, heare her the said Elizabeth, or any body else talke of the abouesaid Elizabeths either being with child, or that she was deliuered of a child And further this depon^t doth declare that she never heard any person
 p. 434 or say that she the abouesaid Elizabeth should at other person or persons (or in any other place) either alieue or dead And this depon^t doth further declare that she doth not remember that the abouesaid Elizabeth was at any tyme sick from the day of their first meeting together at James Langworths vntill the Second Summer after their comeing into the Country and further sayth not

The marke of } Margaret Mashguy

Jurat coram me James Langworth

The Jury doe p^esent for the Lord Proprietary that Elizabeth Harris late of St Clements hundred in the County of St Marys Spinister in the Easter holly dayes in the yeare of our Lord 1657 at St Wynifrids in the County and hundred aforesaid then and there a certaine man child alieue did bring forth and afterward the said Elizabeth at St Wynifrids aforesaid the aforesaid Infant liueing did throwe out of doores hard by the landing by which the said Infant imediately did dye and soe the said Elizabeth Harris the said Infant at the place and tyme aforesaid feloniously did kill and murder Contrary to the peace of his Lōp, his rule and dominion Being asked
 26 Feb. whether she was Guilty or not guilty she answered not guilty and being demanded by whome she would be tryed answered by God and the Country

whereupon was impannelld a Jury as followeth (vizt)

Mr William Bretton Foreman,	Mr Richard Willan
Mr Thomas Mathews	Mr Robert Macklyn
Mr William Hughes	Mr Thomas Burdett
Mr Richard Forster	Mr Patrick Forrest
Mr Thomas Turner	Mr Deliueraunce Lovely
Mr Thomas Stone	Mr William Greene.

And the Jury retourned their Verdict not Guilty

Attorney
 General v.
 Pauldin

The Indictment of Jane Pauledin

Let it be enquired for the Lord Proprietary whether Jane Pauledin now the wife of John Titmarsh of St Leonards in Caluert County vpon the foure and twentyth day of december 1659 at the howse of Thomas Belcher vpon the Resurreccōn Mannor in the County afore-said one Holland Apron seaven yards of white small bone Lace one

Elle of Broad bone Lace Eight yards of broad silke one olde Capp
one table cloth of . . . red weomens Stockins two laced Quoinies three
laced neck cloathes one fine holland apron, one plaine neck cloth one
scollopt dressing one Quoife two whisks one paire of halfe sleeues
halfe a thousand of pinns five hens and one Cock then and there
found did feloniously steale take and carry away and whether James
Atchison Susanna his wife be not accessories both before and after
the facte contrary to the peace of his Lōp. his rule and dominion And
the Jury retourned their uerdict Ignoramus.

Liber
P. C. R.
p. 435

The Compt sueth for twelue thousand pounds of tobacco and
Caske with Costs of Suite The def^t by his Attorney accknowledged
Judgement for the abouesaid twelue thousand pounds of tobacco and
Caske with Costs of suite

Devorax
Browne v.
Robert
Kingsbury
p. Attorn.
Francis
Carpenter

The Compt by his Attorney sueth for three pounds sterling being
the remayning parte of a debt of thirteene pounds Which the def^t
owed to the Compt as he alleadged for parte of his passage into this
Province from England To which the dēft answeres that there was
something due to the said Compt but he did suppose not soe much as
was demanded but that would be made appeare by the freight booke
of the said Ship To which accompts in the said Freight booke he
was willing to stand to It is thereupon ordered that the def^t pay to
the Compt soe much money or the vallue thereof as the said Freight
booke shall charge deb^r with, with costs of Suite

Captaine
Robert
Morris
by his
Attorney
Mr Henry
Coursey v.
Robert
Hopkins

The Compt sues the def^t in an accōn of defamacōn calling him
theefe and Rouge To this the def^{ts} Attorney produced two deposi-
cōns one of William Hills and the other of Thomas Barretts by
which the Courte was satisfiied that it was noe defame and therefore
Grants a non Suite ag^t the Compt with costs of Suite

Thomas
Burdett v.
Cap^t Robert
Morris
by his
Attorney
def^t Henry
Coursey

The deposicōn of William Hill

William Hill aged 17 yeares or thereabouts sworne before Edward
LLoyd Esq^r the thirteenth of February 1660 Sayth, That when the
Ship was at Patuxent the Master, M^r Henry Coursey M^r William
[Coursey] Thomas Burdett, was in the Round house together . . .
and M^r William Coursey went out . . . behind in The Roundhouse
and this depon^t being vpon the Quarter deck did see the said Burdett
bring a bottle of sack forth of the Roundhouse whereupon I going
to a case of Sack which was in the Round howse did misse a bottle
out of the case which was in the Case when the M^r and M^r Courseys
went out And I then following him the said Burdett into the Stereage
did see the said bottle of sack in the said Burdetts pockett and I had
hould of the Neck of itt to putt it out of his pocckett, but not being

p. 436

Liber able to gett it from him I went to acquaynte the Master and in that
P. C. R. tyme he had given it to a negro, whoe called the said Burdett Master,
and then I gott it from him the said negro this is all that I knowe and
further sayth not William Hill

Jurat coram me Edw : LLoyd :

The Deposicōn of Thomas Barrett

Thomas Barrett aged 14 yeares or thereabouts sworne before Edward LLoyd Esq^r the 13th of February 1660 Sayth That when the Ship was at Patuxent the Master M^r Henry Coursey M^r William Coursey and Thomas Burdett was in the Round house together and the Master M^r Henry and M^r William Coursey went out of the Round howse to goe away, and Burdett stayed behind in the Round howse and I followed the Master and both the Courseys to the waste of the Ship with a bottle of Sack in my hand for the Master to drinke to both M^r Courseys as they went over the side of the Ship, and Burdett comeing downe the Ladder and I goeing vp the Ladder to the Quarter deck did see a bottle of sack in Burdett's pocckett and goeing to putt that bottle into the case that I had in my hand I missed a bottle forth of the case which was in the case when the Master and both M^r Courseys went forth of the Round howse and when I came againe out of the Round howse I saw William Hill take the bottle of sack from a negro whoe called Burdett Master, and the Negro sayd his Master gaue it him and further sayth not

Jur. coram me Ed LLoyd :

Thomas Barrett

Thomas Tolson p
Attorn. Capt
Cornewallis
v. Thomas
Stone
p. 437

The Compt by his Attorney Sueth for forty two pounds seauenteene shillings and fiue pence Sterling being the ballance of Accompts from the yeare 1656 to the yeare 1660 as by the accompt hereafter written doth more at large the def^t peruseing the accompt made noe Defence five pence Sterling being the true ballance of the said accompt with costs of Suite

M^r Thomas Stone is D^r 1660

Reckoned and accompted the tenth of November 1656

and then rested by accompt, sent yo ^u	69 th 05 ^s 07 ^d
Sent yo ^u 13 th of October 1657 p Cap ^t Whitty	50 13 03
p passage of Lettice Seamore 6 th 4 ^s and for } procureing her 30 ^s	07 14 00
Sent yo ^u 4 th of August 1650	17 12 10
Sent yo ^u 16 th Sep ^t 1659 p Capt. Tilghman	78 16 07
	<hr/> 224 02 03 <hr/>

M^r Thomas Stone is Cred^r 1660

Rēcd the 17 th of October 1657 by 16 hhds in Cap ^t } Tilghman cont. neate 4980 at 2 ^d p pound.	41	10	00
Rēcd the 26 th of June 1659 in Cap ^t Tilghman } 19 hhds cont. neate 7291 th at 2 ^d p pound	60	15	00
Rēcd the 14 th of August 1660 29 hhds in Cap ^t } Tilghman Cont. Neate 9418 th at 2 ^d p pound	78	09	08
For watches mending	00	10	00
	<hr/>		
	181	04	08

Liber
P. C. R.

The defd^t desires tyme till the next Provincia^l Courte which is granted and ordered accordingly.

John Hobbs by his peticoⁿ desires an Attaichm^t against the Estate of John Gotley which was granted accordingly

To the hono^{bte} Philip Caluert Esq^r Gouvernor and the rest of this hono^{bte} Councell.

William
Calvert Esq^r
by his
Guard the
Lord
Proprietary
v. Thomas
Stone
Hobbs v.
Gotley
Southern v.
Bradnox

The humble peticon of Thomas Southerne Sheweth That yo^r pet^r comeing into this Country a Servant was bound by Indenture for seaven yeares and the tyme being accomplish'd yo^r pet^r demanded his freedome of his Master Captaine Thomas Bradnox but he denyed the same Soe that yo^r pet^r was forced to sue in the County Co^{rt} at Kent And the Commission^{rs} findeing by five several deposicōns, that his tyme was expired was then vpon passing Judgem^t: And the said Captaine Bradnox craued an Appeale vnto this Pro^{all} Courte, as by the order will more at large appeare

Wherefore yo^r pet^r humbly Craues that yo^r honnors would be pleased to grant order against his said Master Cap^t Thomas Bradnox for his corne and Cloaths due for his said servitude with such allowance as yo^r Honnors shall thinke meete for . . . longer which his said M^r deteyned him

Sattirday the three and twentyth of February 1661

Present as aforesaid

The Compt petitions to haue the def^t retourned to his Service whoe went away before his tyme was expired as he alleadged the defd^t answeres put in peticoⁿ, And vpon the perusall of the proceedings of the County Courte at Kent had in this cause and of the deposicōns taken therein and noething by the plt or his Attorney appeareing matteri^{all} why the def^t should not haue his freedom Corne and cloathes according to the custome of the Country The Judgem^t of

Feb. 23
p. 438
Thomas
Bradnox
upon an
appeale
from Kent
County v.
Thomas
Southerne

Liber the board is that the def^t shall haue his freedome Corne and Cloathes
P. C. R. with costs of Suite

The deposicon of Judith Hemslye aged twenty seaven yeares or thereabouts sworne in Courte January 21th 1660

Sayth Thomas Southerne came in The Ship with her aboute seauen yeares since being a Servant to one M^r George Johnson and the said Southernns Indenture was made at Sea for seaven yeares and when wee came to Yorke river the said Johnson sould him to one M^r Wadlow for seaven yeares and afterwards the said Wadlow and Thomas Southerne made a bargaine that y^r said Thomas Southerne should serue another yeare to him and he would teach him the trade of a Cooper and farther Sayth not

Macum Mecray aged three and twenty yeares or thereabouts Sworne in Courte Sayth That M^r Wadloe related after he had bought the said Thomas Southern that he was to serue him Eight yeares and for consideracōn he was to teache him the trade of a Cooper for one of the Eight yeares seruice aforesaid and further sayth not.

William Herslye aged twenty six yeares or thereabouts sworne in Courte Sayth, That carrying Thomas Southerne home to his Masters howse his Mistres asked him whether or not he did not say before his Master Wadloe that he had three Crops to serue he answered he did to please his Master, and M^{rs} Bradnox answered through a young Knaue and an ould Knaue they were deceiued of their Right and further sayth not

Nicholas Bradnox and John ——— doth alsoe testefye in Courte that Thomas that he had three Cropps

p. 439
Cornwaleys
v. Penny

Vpon the mocōn of Cap^t Thomas Cornewallis touching a Cowe that he formerly vndertooke to pay Henry Penny in the behalfe of the Country, which said Cowe being sett a parte for the vse aforesaid one yeare or more, And the said Penny neglecting to come to receiue the said Cowe, the aforesaid Cap^t Cornewallis humbly moves the Courte to haue that tender stand good ag^t the said Penny the said Cowe being yett aliue, with her increase. Whereupon the Courte orders that the said tender shall stand good ag^t the said Penny he haueing neglected as is before Expressed.

Dent v.
Dickason

This day came Walter Dickason into Courte and accknowledged Judgem^t vnto M^r Thomas Dent for twelue hundred and fifty pounds of tobacco and Caske, twelue hundred and tenn or thereabouts being Specialty and the rest upon Accompt the said Specialty is to be cancelled
Henry Coursey Sec^r:

Monday the 25th of February present as afores^d

The p^{lt} haueing had an Attaichm^t ag^t the Goods chattles and debts of Thomas Harvey of Virg^a to the vallue of fwe hund^d pounds of tobacco and Caske in prosecucō of which the Compt^t appears at the Courte and produceth a Bill of the said Thomas Harueys to the Sume aforesaid vpon Consideracō of the peticōn and bill aforesaid the Courte doth order that the Goods in Attaichm^t taken be appraised and fwe hundred pounds of tobacco payd to the Compt^t. with Costs of suite

Liber
P. C. R.
Feb. 25
Hugh Bevin
v. Thomas
Harvey

This day came John Abbington Attorney to M^{rs} Anne Tilney Executrix to Richard Hodgkeys dēcd, and acknowledged a Judgem^t vnto Captaine Thomas Cornewallis as Assignee vnto M^r Richard Hobbs for 831th tobacco and caske by bill And further doth acknowledge on the behalfe aforesaid to be accomptable vnto the said Cap^t Cornewallis as Assigne aforesaid for three hhds of baye Salte And to pay what remaynes upon that accompt

Cornwaleys
v. Tilney

The def^t not appeareing the Sherriffe of S^t Marys County not takeing Security for the same has Liberty to bring the def^t to the next Provinciaall Courte there to answeare the Compt^t Suite and in defaulte Judgem^t to pass ag^t the said Sherriffe for soe much as shall be found due or comeing to the p^{lt} with Costs of Suite

Pakes v.
Hammond

Knowe all men by theis p^{es}ents that I Humphry Warren Cittizen of London doe Constitute and ordeine Captaine Nicholas Gwyther my Lawfull Attorney for me and in my name to attaich arrest the body or Goods of William Head Cooper in an accōn of debt due vpon Accompt, and what my said Attorney shall doe in the p^{em}isses I doe rattifye Confirme and allowe as if I myselfe was personally p^{es}ent Wittnes my hand and Seale this fourteenth day of January 1660

p. 440
Humphry
Warren
by his
Attorney
Capt
Guyther v.
William
Head p
Attorn
Gyles
Sadleir

Humphry Warren

Sealed and deliuered in the p^{es}ence of Robert Payton James Walker.

The def^t by his Attorney confesseth a Judgem^t vnto the p^{lt} for fwe hund^d and forty pounds of tobacco and Caske, which is ordered accordingly and that the def^t pay the Costs of suite

The p^{lt} in his peticōn craues Judgem^t ag^t the Estate of Cap^t William Stone deceased to the vallue of 9300^{ib} tobacco and Caske for seruice done in the yeares 1651: 1652: and 1653, therefore humbly prayes to haue a Jury to trye the same vpon which the Court orders the Sherriffe to Impannell a Jury: which was done accordingly (vizt)

William
Hughes v.
Thomas
Stone
Executor to
Cap^t Wm
Stone his
father

Liber P. C. R.	William Bretton Foreman	John Hobbs	} gent
	Thomas Bennett	William Hampstead	
	Robert Macklyn	William Boreman	
	Richard Forster	William Greene	
	Robert Joyner	Deliuurance Loavly	
	John Gee	William Russell:	

And the aforesaid Jury hauing spent some tyme vpon the p^emisses brought in their Verdict in theis words following vizt

Wee finde that William Hughes first Commenced his Suite ag^t Cap^t Stone (as upon Record) 12th February 1658 and came to a tryall 2^d March following where the said William Hughes was non suited, After againe William Hughes began his Suite a new 3^o September 1659 And at the Courte 7th October following a Respite was granted in the said . . . that said order wee finde in the Records. But considering the deposicōns and alsoe how that this Suite was Comēced in Captaine Stones life tyme and that the said Cap^t Stone engaged himselfe to sattisfye the said William Hughes for his labour imployed vpon the Mill Wee conceive that the Executo^r ought to sattisfye the said Hughes as the hono^{ble} Board shall adjudge, And further that the said Executor ought not to pleade the Acte for deceased p^{ersons} whereas the Sayle was formerly putt in in Cap^t Stones life tyme.

Whereupon the Courte required all papers and accompts Relateing to the p^emisses should be deliuered in to the Courte and peruseing the said papers doth finde that the true Ballance of Acc^o is foure thousand nine hund^d fifty and one pounds of tobacco and Caske and doth thereupon order that the said Thomas Stone def^t and Executor doe forthwith pay vnto the p^{lt} the afores^d sume of foure thousand nine hundred fifty and one pounds of tob and Caske, in defaulte thereof Execucōn: with Costs of Suite.

John
Mastveeke
v. Richard
Russell

The def^t is discharged and the p^{lt} to pay Costs of Suite

To the hono^{ble} Philip Caluert Esq^r Gouvernor &c

Wright v.
Turney

The humble peticōn of Richard Wright Sheweth That yo^r pet^r purchased of Richard Turney late of this Province decd. the one halfe or moiety of his the said Turneys land lying in Sasafras Riuer as by a Conveyance vnder his hand and Seale may more at large appeare, which said moiety not being layd a parte in his the said Turneys life tyme he humbly Craueth order for a writt of Particōn of the said Land according to his bargaine and Covenante and according to the vsuall Custome of this Province in the like kinde And he shall pray &c

Vpon the peticon aforesaid it is ordered that a Writt of partition be issued out calling all partyes concerned as Creditors to the Estate of Richard Turney to be there by themselues or some for y^m at the partition of the said land as aforesaid

Liber
P. C. R.

Tuesday the 26th of Febr.

Feb. 26

Mr Nicholas Morris demands a writt to arrest Gregory Murrell in an accōn of tenn thousand pounds of tobacco and caske Warr^t mde . . . County ret the next Pro^{all} Courte.

Morris
v. Murrell

The p^{tt} sues for Eight hundred forty foure pounds of sweete scented tobacco which the def^t owes him and thirty Eight pounds of Arranoko tobacco at one pound p pound The Testimony produced doth averre that the three hhd^s in the deposicōns mencōned were received as Sweete scented tobacco which was in Reckoning two pounds Arranoke for one pound of sweete scented And the Ballance of the said sweete scented tobacco being Eight hundred forty four pounds It is ordered that the def^t pay the said Eight hundred forty four pounds Sweete scented tobacco at 2th Arranoko pth And 38th Arranoko Tobacco with Costs of Suite in this Cause.

p. 442
Nicholas
Keiting v.
Thomas
Hethcott p
Attorn.
Thomas
Bennett

Vpon the mocōn of the def^{ts} Attorney to haue the opinion of the Courte to the repaym^t of the said Sweete scented againe at 2th for one according as it was received vpon which the Courte giues their opinion, that it shall be good pay provided it be not dampnified and that the tobacco be deliuered him on his owne Plantacōn

The Examinacōn of Jeremy Harrington taken before the Pro^{all} Courte the 26th of February 1660

The said Examinatt being duely sworne and Examined Sayth That he was p^esent when the p^{tt} and def^t were makeing a bargaine aboute the tobacco, and after long talkeing together aboute the price of the tobacco, at length the def^t Thomas Hethcott being ready to goe away the p^{tt} wished him either to giue him two pounds a pound for the tobacco, or take away the Mayde Servant he tould the p^{tt} and leaue the tobacco, and yet the def^t rouled away one hhd of tobacco at that price yo^r pet^r supposes as aforesaid

Jeremy H^t Harrington

Sworne in open Courte Peter Bathe Clk: his marke

The Examinacōn of M^r John Metcalfe taken before the Courte the 26^o of February 1660

The said Examinat being duely sworne and Examined Sayth that at that tyme when Nicholas Keyting was deliuering the tobacco to the def^t Thomas Hethcott, the said Keiting desired him to goe and take the weight of tobacco and then the said Nicholas sayd that there was three hhd^s of tobacco . . . was sweete scented whereupon M^r

Liber Hethcott should knowe that the said Hethcott did, and did
P. C. R. approue of itt, then comeing to a price for the tobacco; Nicholas
p. 443 Keiting tould him he would take two for one, meaneing two pounds
of tobacco for one pound of tobacco as yo^r pet^r conceiues) where-
upon Argueing the matter on both sides Nicholas sayd if Hethcott
did not Like the tobacco at the price aforesaid let him leaue with
him the tobacco or bring with him his Mayd Servant againe where-
upon the said Hethcott weighed and marked the said three hhds of
tobacco and the Examinatt tooke an accompt thereof

John Metcalfe

Sworne in open Courte.

The Deposicōn of Elizabeth Greene wife to William Greene aged
34 yeares or thereabts: Being duely Sworne and Examined Sayth
that Thomas Hethcott, being at her howse, she heard him demand
of Marks Pheypo whither his Brothere (whome she supposes he
meant) Nicholas Keitings tobacco was good tobacco or not, To
which Marks Pheypo answered it was good, And then she heard the
said Hethcott say that his Brother aforesaid dealte very hardly with
him for he made him pay two pounds a pound for itt; or words to
that Effect and then some in the howse sayd it was the Common
price, but whoe it was that sayd it she knowes not.

Herman v.
Colclough

To the hono^{ble} the Gouernor & Councell of Maryland

The humble peticōn of Augustine Herman Sheweth That Symon
Overzee deceased did Enter with yo^r pet^r into a firme Coepartnership
and Comōn fellowship of trade and traffique for three yeares Con-
tinuance vpon Condicōn that all dammages Susteyned by casualtyes
and vnwillfull Error should be repayred but willfull neglect and
fidellity should be payed wth foure hund^d pounds sterl: forfeited.
Now whereas the said Overzee hath willfully discouered the p^emisses
by the said Common fellow ship intended yo^r humble pet^r Sues for
the s^d foure hund^d pounds Sterling forfeiture out of the Estate of
the said Symon Overzee aforesaid And that Reparacōn may be made
for all the damages as alsoe 12079th of tobacco and Caske proper
tobacco due vnto yo^r pet^r with the forbearaing thereof and aboute
5549th of tobacco and Caske, remaynder of the disbursed money vpon
the barque acco^t: And yo^r pet^r desires alsoe because the Couenant
is the dēcd Overzees will And all his Estate engaged Security that
yo^r pet^r may be pōssd of his Secu[rity] or the bond of M^r Henry
Meese and Collonell John Price of not, that in the meane while
p. 444 and Secured vnto yo^r peticon^r vntill full Sattisfaccōn is made
vnto yo^r pet^r or his order And yo^r humble pet^r shall praye &c.

The Compt Sueth as p^p peticōn and the def^t alleageth that the Acc^{ts}
are not adjusted Whereupon the busines of Accompts was by the p^t
and defd^{ts} owne mocōn referred to the Arbitracōn of Cap^t Samuell
Tilghman Cap^t Miles Cooke M^r John Bateman and M^r Henry Cour-

sey And the said Arbitrato^{rs} haueing circumspectly viewed the respective Accompts doth thereupon Award that the said Major Colclough doth pay vnto the Compt^t nineteene thousand pounds of good tobacco and Caske and Eleauen pounds Seauen shillings and foure pence Sterling money without any Imposte taxe or Porte duty to all which the defd^t agreed. And in order therevnto came into open Courte and accknowledged a Judgement for the aforesaid Sum^e of nineteene thousand pounds of tobacco and Caske with the aboue specified money Itt being the full acc^o of all matters relateing Betwixt Augusteen Herman p^{lt} and the late Estate of Symon Overzee deceased and now belonging to the dēfd^t George Colclough which was ordered accordingly And that the Costs of Suite be equally divided and p^{lt} and defd^t pay each Respective parte.

Liber
P. C. R.

Mr Augusteen Herman doth acquitt release and discharge Major George Colclough from all Claymes or Demands from the begining of the world to this day Saueing the abouesaid Judgem^t of nineteene thousand pounds of tobacco and Caske and Eleauen pounds Seauen shillings and foure pence Sterling.

The Compt^t sueth for foure hundred and fifty pounds of tobacco and Caske and the defd^t by his Attorney haueing noething to alleage against it the Court doth order that the def^t pay to the p^{lt} the said foure hundred and fifty pounds of tobacco and Caske with Costs of Suite

Fereira v.
Lumbrozo

Licence graunted by the Gouvernor to Bennett Marshguy to hunte and kill wilde hoggs vnmarked till further orders.

License to
kill wild
hogs

Wednesday the [27] of February present as aforesaid
Thomas Burdett p^{lt}

Feb. 27
Burdett
v. ———

Walter Pake is granted an Attaichment ag^t the Estate of Thomas Hughes whoe is fled out of this Province to the vallue of two thousand five hundred pounds of tobacco and Caske ret. the next Pro^{all} Courte

Pake v.
Hughes
p. 445

Attaichm^t issued to the Sherriffe of Calvert County ret. 17 Aprill
1661

Vpon the dēfd^{ts} appeale The Courte vpon heareing of the cause allows the def^t one hundred pounds of tobacco for his Attorneyship and paines and the p^{lt} to pay costs of Suite

William
Greene and
his wife v.
John
Metcalf

Vpon the appeale of William Greene and his wife of the Cause in the County Courte at the Suite of Captaine Nicholas Gwyther An order is granted that the said Greene and his wife shall pay the

Greene v.
Gwyther

Liber
P. C. R. five hundred pounds of tobacco mencōned in the note hereafter expressed (vizt) the specially being pressed in Courte and the dēfd^t haueing taken his oathe that the same nor any parte thereof was ever payd

Dauid Lett me desire yo^u to pay vnto Cap^t Guyther five hund^d pounds of tobacco which debt is due for hoggs yo^u bought of me and in soe doing this my noate with his Receipt shall be yo^r discharge as Wittnes my hand this 17th of October 1659

The mke of Henry + Potter

Wittness John Metcalfe The mke T of Thomas Pryor

The def^t acknowledges Judgem^t to the p^{lt} in the Sume of sixteene hundred pounds of tobacco and Caske by bill dated the 23th of February 1659 payable the tenth of November following and the dēfd^t to pay costs of Suite.

Hawkins v. Sheeres John Hawkins demands writt to arrest Abraham Sheeres in an accōn of the case to the vallue of twenty thousand pounds of sugar; Writt issued to the Sherriffe of Charles County ret. the 17th Aprill next to the then Prou^{all} Courte

Hawkins v. The said Hawkins had likewise a Sumōns in Chancery ag^t Captaine

p. 446
Cornwalleyes v. Micheels Thomas Cornewallis this 28th of February demands a writt to arrest Jacob Micheels in an action of debt of six thousand pounds of tobacco and Caske. Warr^t issued to the Sherr. of Baltemore County ret 17th Aprill next

Writs for
Assembly
[Vide I Md.
Arch. Ass.
395]
Ordinary
License Writts for the Assembly issued dated 28th February ret 16th Ap: The Sitting on the 17th of Aprill.

Mr Thomas Innis demands Lycence to keepe an Ordinary which was granted him by the Gouvernor pro ut Licence to Hugh Lee mutatis mutandis.

Court
Session The next Provinciall Courte is appoynted to be held at Saint Marys the seauenteenth day of Aprill next

Abercrombie v. Carver Articles of Agreem^t made this Eight day of December 1660 Betweene William Caruer of Elizabeth Riuer in the County of Lower Norff in Virg^a of the one party and Dauid Abbercromy Master and Owner of the Barque Speedwell the other party as followeth

I the aforesaid William Caruer doth hereby agree promise and Couenante with the aforesaid Dauid Abercromy wynd and weather permitting, and the danger of the Seas excepted to be in S^t Marys in the Province of Maryland with my Kitch calld' the Fortune, betweene the first and the last day of February next ensueing the date hereof then and there to receiue such and soe many hogsheds

of tobacco from the aforesaid Daud Abercromy or his Assigns as the hole of the said Ketch can well Contayne and for the speedyer dispatch and takeing in of the said tobacco and goods, the said William Caruer is to assist the said Daud with his men and Boate, belonging to the said Ketch And further the said William Carver doth couenante with the said Abbercromy that haueing receiued the said tobacco and Goods into his Ketch he the said William shall take the first opportunity of weather and wynd to Sayle vnto the Manhatans in the New Netherlands And by Gods assistance being there arriued shall then and there deliuer unto the aforesaid Daud or his Assigns all such tobaccoes or Goods as the said Daud did Ship a board his Ketch at S^t Marys in the Province of Maryland, In Consideracō of the p^emisses the above named Daud Abercromy doth hereby promise [and] Couenante to and with the aboue named . . . the aforesaid . . . Assigns the Jntire and full Sumē of Seauenty pounds Sterling to be payd in manner following (Vizt) Every twelue Gilders is to be accompted for one pounds Sterling; and for the Seauenty pounds Sterling makes Eight hundred and forty Gilders is to be payd to the said William in good Osenbridge at the price of Eight Stiurs the Dutch Elle, and in good Dutch dramms at the price of Eight and twenty Gilders the Anchor the said William haueing the liberty to choose soe much or soe little of either sorte as he shall thinke good It is alsoe further agreed and Couenanted with and betweene the aboue named partyes that the said Daud shall haue fiteene dayes for the Ladeing of the said Ketch at the aforesaid S^t Maryes and for unladeing and discharge at the aforesaid Manhatans And in case that the said Daud shall not accomplish to lade and vnlade the aforesaid Ketch within the tearme of the said fiteene dayes aforesaid, then the said Daud for every dayes demurrage and Longer stay of the Ketch shall pay or cause to payd vnto the said William or his Assigns the Intire and just Sumē of twenty Gilders in manner as the former money is to be payd for the performance of the p^emisses, both partyes doe binde them their Executors Administrators and Assigns And in wittnes of the truth hereof hath Interchangeably sett to their hands and Seales the day and yeare aboue written.

Daud Abercromy X locus Sigill William Caruer X locus Sigill
Sealed and deliuered in the p^esence of Nicholas Harte Fran. Sayer

Whereas there was an Agreem^t made the Eighth day of December 1660 Betweene M^r William Caruer of Elizabeth Riuer in the County of Lower Norff in Virginea the one party And Daud Abercromy Master and Ownor of the Barque Speedwell the other party as by the same agreem^t to which relacō being had doth more at large appeare, And Whereas the said William Caruer hath fayled of performeing his Couenant in the said Agreem^t mencōned with the said dauid

Liber
P. C. R.

p. 447

Liber Abercromy as he is ready at all tymes to make appeare, Therefore
P. C. R. the said Abercromy doth hereby protest as well ag^t the said William
Carver his Executors Administrators and Assigns as against all other
persons whatsoever And doth hereby declare that whatsoever costs
damages and Charges shall be made appeare to Ensue for the non
performance of the abovesaid agreement may and the said
Mr William Caruer his Executo^{rs} the Tenor of the said agreem^t

p. 448 And I Philip Caluert Esq^r Gouvernor of the Province of Maryland
vnder his Lōp. Cæcilius Lord Barron of Baltemore Lord and Pro-
prietary of the said Province because the Protest aforesaid was made
before me haue hereunto sett my hand and caused his said Lōps
lesser Seale of the said Province to be affixed hereunto at S^t Marys
this thirteenth day of March in the yeare of our Lord God 1660

Cattle mark Nicholas Gwyther recordeth his marke of Cattle vizt a Swallow
forke on the left Eare and a peece taken out vnder & over the Right
Eare & the tip of the Eare Cutt off.

1661 At a Provinciall Courte held at Saint Marys the 17th day of Aprill
April 17 1661
vide 1 Md. Present Philip Caluert Esq^r Gouvernor Henry Coursey Sec^r Robert
Arch. Ass. Clarke Baker Brookes Ed: LLoyd John Bateman Esq^{rs} Councello^{rs}.
396
Re Carter

Vpon the backside of a Pattent to Edward Carter for nine hundred
acres of land lying in the Herring Creeke in Anne Arrundell County
beareing date the twentyth of September in the seauen and twentyth
yeare of his Lo^{ps} dominion over this Province of Maryland Annoq
domini 1658 was p^esented this following Assignm^t:

Knowe all men by theis p^esents that I Edward Carter of Nansa-
mum in Virginea doe assigne over all my Right and tytle of the
within specified six hundred acres of land vnto William Hunte of
Herring Creeke in the Province of Maryland his heires or Assigns
for ever and doe hereby acknowledge my selfe fully sattisfyed for
the same In Wittness whereof I haue sett to my hand and Seale this
tenth day of November 1660 Edward Carter

Signed Sealed and deliuered in the p^esence of vs, Jeremiah Shed-
man X his mke Daniell ffeaste his mke H

And Samuell Chew of the Herring Creeke in the County aforesaid
came this day into open Courte and did accknowledge and avowe the
Sale of six hundred acres of land lying in the Herring Creeke afores^d
made by Edward Carter according to the Assignm^t vpon the Pattent
Endorsed from Edward Carter aforesaid vnto William Hunt and
according to the tenor of the letter Attorney here following (vizt)

p. 449 Knowe all men of Nansamum Herring Creeke in the
Province of Maryland to be my true and Lawfull Attorney to make

an acknowledgem^t of an Assignm^t of six hundred acres of land lying in Herring Creeke Baye aforesaid solde by me the said Edward Carter vnto William Hunte of the aforesaid Herring Creeke Alsoe I doe binde myselfe by theis p^esents to make good the said Accknowledgem^t of the aforesaid Samuell Chewes as if I myselfe were personally p^esent In Wittness whereof I haue hereunto sett my hand and Seale this tenth day of November 1660 Edward Carter

Liber
P. C. R.

Signed Sealed and deliuered in the p^esence of vs Jeremiah Shedman his mke + Daniell Ffeaste his marke H Henry Archer his marke O

Henry Pennington Complayneth ag^t Elizabeth Greene for that she lays to his wiues charge the receipt of stolne goods that is to say Linnen Stolne by Francis Stockdell Seruant to Elizabeth Greene def^t.

Pennington
v. Greene

The def^t denyes that euer she sayd any such words

The p^lt and def^t putts it to the tryall of the board

Nicholas Rawlins sworne in open Courte in the cause depending sayth That Elizabeth Greene did aske Rachell Pennington why she did receive Lynnen of her Mayd Francis Stockdell and Rachell Pennington denyed itt and further sayth not

Andry Keyting sworne &c sayth That she did heare Elizabeth Greene Say that her Mayd tould her she had given Henry Pennington his wife some parte of the Lynnen and she sayd where some parte of the Lynnen was she knew not but that there was the rest and at another tyme she heard her Say that she had some of her Goods aboute her, as a Cap vpon her head, and further Sayth not

Amy Hooper sworne &c Sayth That she sawe Francis Stockdell Servant to Elizabeth Greene at Henry Penningtons howse she askt of Henry Penningtons wife why she would suffer that Wench to be there, within a while after the said Francis Stockdell went away and further sayth that at Nicholas Keytings howse she heard the said Elizabeth Greene Say that she did bid her Mayd and did as good as force her Mayd to say that she had giuen Supposed to be stolne vnto Nicholas Keitings because she would not haue had Rachell Pennington brought into any trouble And because that Keitings Mayd being a Servant she should not be troubled therefore and further sayth not

p. 450

Jonas Eustas Sworne &c Sayth That he was at Henry Penningtons howse when the Maide came in with the Cloth before her but whether she left it behind her or tooke it with her he knoweth not and further Sayth not

Francis Stockdell Examined in open Courte Sayth She Confesseth she did Steale halfe a yard of osenbridge & gaue it to Henry Penningtons wife

The Judgement of the Board is that it is a Slander to the p^lt and the def^t to pay costs of Suite

Liber
P. C. R.
April 18
Re Pheypo

Thursday the 18th of Aprill p^esent as aforesaid

This day came Marks Pheypo and deliuered up a Pattent of one hundred and twenty acres of land to the vse of Francis Mogge and John Coleman in open Courte

Roberts v.
Greene

To the hono^{ble} the Gouvernor and Councill of the Prouince of Maryland

The humble peticōn of Fobby Roberts Sheweth That Whereas William Greene is Justly indebted vnto yo^r peticon^r for Goods sould vnto the said Greene the Sumē of three thousand two hundred Sixty and nine pounds of tobacco and Caske being due fūe moneths since, and yet vnpayd to the greate dammage of yo^r peticon^r he being deteyned here for want of the said tobacco.

Wherefore yo^r pet^r humbly desires an order of this honorable Courte for the said tobacco with Damages and Costs of Suite And he shall ever pray &c.

An Accompt deliuered

Executio
mde

Ordered that the def^t pay the p^{tt} One thousand Eight hundred twenty six pounds of tobacco which is the ballance of the Accompt due vnto the p^{tt} with costs of Suite.

Re
Hammond

This day came Anne Hammond into open Courte and renounced her Letter of Attorney

p. 451
Games v.
Bennett

To the hono^{ble} the Gouvernor and Councill

The humble peticōn of Richard Games Sheweth Whereas Thomas Bennett Carpenter after Condiçōns drawn with yo^r petition^r for the tearme of two yeares continuance being soe covenanted that the said Bennett was to allowe yo^r peticon^r for the first yeare one thousand and for the second two thousand pounds of tobacco and Caske, But now the said Bennett haueing within three moneths after fled from his aforesaid Articles, and not retourned till the Expiracōn of foure yeares and haueing made noe provision nor take[n] noe Course for a being for yo^r peticon^r within the tyme Lymited in soe much that yo^r pet^r was compelled to hyre himsele for the Compassing Cloathes to his Back and Meate for his mouth being streightned for Reassumeing any Imploym^t till the said tearme Expired besides the losse of his trade and wages receiueing much p^ejudice thereby

The p^emisses Considered yo^r peticon^r addresses himsele to this honorable Board for such sattisfaccōn as shall be adjudged Requisite And yo^r pet^r shall pray &c.

The p^{tt} sues p[ro]ut in peticōn the defend^t denyes the whole allegacōn in the peticōn as it is there Layd and the def^t putts him to proue his p[ro]ut allegacons Whereupon the Comptt produces John Vanhack and George Wilson as Evidence

John Vanhack sworne in open Courte sayth that the def^t was to give the p^{lt} one thousand pounds of tobacco for the first yeare and two thousand pounds of tobacco for the second yeare by a Condicon made Betweene them to which he was Wittnes and further Sayth not

Liber
P. C. R.

George Wilson sworne in open Courte sayth the same as the afore-said John Vanhack, and they further sayth that the p^{lt} did not goe aboute to worke while the tenth of June and further sayth not

Whereupon it appeared to the Courte that the p^{lt} was in the def^{ts} Service foure moneths that is to say from the foureteenth of January till the tenth of May for which tyme and Seruice the p^{lt} had noe satisfaccōn It is therefore ordered that the def^t pay to the p^{lt} six hundred pounds of tobacco with costs of Suite.

This day came Thomas Taylor and desired Liberty to choose his whereupon he made Choyce of Philip

Re Taylor

Let it be Enquired for the Lord Proprietary whether John Jenkins Hugh Neile William Heard Henry Peere Richard Morris William Smoote John Courts James Walker William Hall, William Crayford Thomas Jaruis Thomas Lomax and John Morris contrary to the fidellity to his Lo^{ps} due not hauing the feare of God before their Eyes, and by Instigacōn of the deuell, mutinously and seditiously Contrary to the Acte of Assembly in that case provided within this Province at the howse of Josias Fendall in Charles County vpon the Eighth and nynth dayes of February 1660 ag^t the p^{son} of his Lōps Gouvernor his gouernm^t & guards provided for the safety thereof did wth force attempt th^t is to say vpon the 8th day of Feb. aforesaid at the howse of Josias Fendall aforesaid, in the County aforesaid in Armes did appeare, and upon the ninth day of February to rescue the p^{sons} of Josias Fendall and John Hatch then Prisoners for mutiny and Sedicōn and under a guard did march in greate derrogacōn from the just power of his Lōp and the Subversion of the Government of this Province and Contrary to the peace of his said Lōp. his rule and dominion.

Attorney
General v.
Jenkins
et al.
p. 452
vide 3 Md.
Arch. Coun.
406

Then order was giuen to the Sherriffe to Impannell a Jury (vizt) as followeth

Mr Richard Lloyd	<div> <div> <div>Randall Hanson</div> <div>John Waghope</div> <div>James Hall</div> <div>Henry Ellery</div> <div>John Vanhack</div> <div>W^m Lucas</div> <div>Geo. Wilson</div> <div>W^m Cole</div> <div>Thomas Innis</div> </div> </div>	} Gent.
Mr John Warren		
William Tattershall		
Walter Pakes		
W ^m Browne		
Nicholas Young Foreman		
John Shertcliffe		
Richard Bennett		
William Assiter		

Liber
P. C. R.

The Jury retournes their Verdict as followeth (vizt)

And the Indictment ag^t John Jenkins Hugh Neile William Heard Henry Peere Richard Morris William Smoote John Courts William Hall William Crayford Thomas Jarvis Thomas Lomax and John Morris was found Billa vera James Walker (Ignoramus) John Jenkins Hugh Neile and Henry Peere being fieve tymes called did not appeare.

p. 453 Richard Morris William Smoote John Courts and John Morris were called to the Barre and had their Indictm^t read (vizt) The Jury doe p^esent . . . Proprietary that John Jenkins Hugh . . . Thomas Jarvis Thomas Lomax and John Morris Contrary to the fidellity to his Lōps due, not haueing the feare of god before their Eyes and by instigacōn of the deuill mutinously and seditiously Contrary to the Acte of Assembly in that case provided within this Province at the howse of Josias Fendall in Charles County vpon the Eighth and ninth dayes of February 1660 ag^t the person of his Lo^{ps} Governor his Gouernment and Guards provided for the safety thereof did with force that is to say vpon the Eighth day of February aforesaid at the howse of Josias Fendall aforesaid in the County aforesaid in Armes did appeare and vpon the ninth day of February to rescue the persons of Josias Fendall and John Hatch Prisoners for mutiny and Sedicōn and vnder a Guard did march in greate derogacōn from the just power of his Lōp. and the Subversion of the Gouernment of this Province and Contrary to the peace of his said Lōp^e his rule and dominion, Being asked whether they were Guilty or not Guilty they answered not Guilty and being demanded by whome they would be tryed answered by God and the Country.

Whereupōn was Impannelld a Jury (vizt)

Thomas Dent Foreman	}	George Read
George Taylor		George Macckall
William Mills		William Lawrence
Thomas Burdett		Henry Banister
William Innis		James Johnson
Francis Walton		William Palmer

And the Jury retourned their Verdict not Guilty.

The Examinacōn of Thomas Lomax resideing at Cap^t Josias Fendalls howse in Charles County aged thirty yeares or thereabouts taken before the hono^{bte} Philip Caluert Esq^r Gouernor of this Province of Maryland Robert Clarke and Baker Brookes Esq^{rs} two of his Lōps Councell for the said Province the 18th day of February 1660

The said Examinant being demanded whether the vnder mencōned writts, vizt one of them ag^t M^r John Anderton at the Suite of James Bowling dated the thirtyth of July 1660 and Signed by the said Josias Fendall, but written by him and other foure writts one ag^t Hugh Stanley at the Suite of Thomas Burdett, another ag^t the said

Thomas Burdett at the Suite of Thomas Trueman, another to Summons Henry Coursey to testefye on the behalfe of John Bateman in a cause depending Betweene the said Bateman and Bagby Brookes to testefye on the behalfe And whether by the said Fendall or not, he answered they were, And the said Examinat being further shewed a certaine pretended order of Councell held at Thomas Gerrards 1660 and a proclamacōn thereupon of the same date were written by him and Signed by the said Fendall respectiuely he answered they were And further sayth that there being thirty Six men in Armes in the feild before Captaine Fendalls howse was desired by that party of men to drawe a peticōn to the Governor that they were Subjects to the King of England And if they comitted what was not fitt that they should be tryed by the Lawes of England which peticōn this Examinat did drawe but being asked where is that peticōn he answered he doth not knowe.

Liber
P. C. R.

p. 454

Philip Caluert Robert Clarke Baker Brooke

The Examinacōn of John Hatton Servant to Josias Fendall aged forty yeares or thereabouts being duely Sworne and Examined before the hono^{bte} the Gouvernor Philip Caluert Esq^r Henry Coursey Secret^{ey} Robert Clarke Baker Brooks and John Bateman Esq^{rs} of his Lo^{ps} Councell the 18th day of February 1660

Sayth that he heard his said Master Josias Fendall say that on Monday the fourth of this instant February he was at the howse of Robert Hunley that upon Sattirday the ninth day of February he sawe Captaine John Jenkins with aboute 40 men at the howse of Josias Fendall where the said Jenkins desired the said men to drawe out in two single fyles they being then all Armed to march downe to the p^{esent} Gouvernor, but for what purpose this depon^t knoweth not And further sayth that Hugh Neile and William Heard with others of the said Company whose names he knowes not went to a boate and this depon^t heard went to the East side of Wiccocomaco Riuier but sudainly after retourned back againe and further sayth that he knowes Hugh Neile did ride on Captaine Fendalls horse to Porto-back but to what purpose he knowes not And further sayth not

Jur. coram nobis Philip Caluert Henry Coursey Robert Clarke Baker Brooke

The Examinacōn of John Balth Servant to Cap^t Fendall aged thirty yeares or thereabouts said Captaine Fendalls howse being on Sunday the third day of February his said Master did ride abroad but whither knowes not And vpon Fryday following aboute Eight in the morning Captaine John Jenkins with aboute thirty men all armed came to the said Fendalls howse and he then sawe them drawe out into two single fyles but whether it was Captaine Jenkins or Hugh Neile comāded them he knowes not, but he rather thinkes it was

p. 455

Liber
P. C. R. Hugh Neile And sayth that he sawe William Heard and some others
of the said Company goe over the River in a Boate And that John
Courts was at the said Fendalls in Armes till night that he this
depon^t went to Bedd. And further sayth not but that the Bulletts he
had giuen to William Potter he . . . from the said Fendalls
Overseer John Balch his marke


Jur. coram nobis Philip Caluert Henry Coursey Rob^t Clarke Baker
Brooke.

The Examinacōn of William Potter Servant to Captaine Josias
Fendall aged one and twenty yeares or thereabouts sworne and
Examined as aforesaid Sayth that being at his Master the said
Captaine Fendalls howse aboute Fryday the Eight day of February
he sawe Cap^t John Jenkins William Heard William Hall William
Crafford Henry Peere Hugh Neile Richard Morris Thomas Jarvis
William Smoote and diuers others whose names this depon^t knowes
not at p^esent appeare at his said Masters howse in Armes and M^r
Lomax then declareing his this depon^{ts} said Master Captaine Fendall
was in Prison and he this depon^t heard the said company say that
they would goe and fetch him out And in particuler he heard Cap-
taine Russell say that wel goe and fetch him out and two others of the
said company whose names he knowes not say the same, And further
sayth that he sawe the said Company drawe into two fyles and he
sawe Cap^t Jenkins putt the said Company as neere as he could in
order by removeing one man out of his place and putting another in
his steed And further sayth that ould Smoote aforesaid he sawe with
others goe over the River, and when they came back againe heard
some of them say they would be accompted Cowards And sayth that
all the said Company had Guns, and that he this depon^t had given
him the day aforesaid powder and John Balch brought him the
Bulletts And further Sayth not.

William } Potter his marke

Attorney
General v.
Welch
p. 456 Anthony Welch Examined before the Gouvernor this 19th day of
March 1660 vpon Suspicion of felony confesseth that he was by her
the vndernamed Francis Stockdell when she tooke the Goods here
vndermencōned Anthony Welch

Taken before me Philip Caluert.

Attorney
General v.
Stockdell Frances Stockdell Examined before the Gouvernor this 19th day
of March 1660 vpon Suspicion of felony she confesseth she went
into her Mistresses chamber and tooke out halfe a yard of Osenburgh,
and some Lynnen and Sayth that James Woosey did in his Mistres
her absence, kill one of his neighbours hoggs John Biscoes and
further Confesseth that she sawe the abouesaid Anthony Welch kill
one hogg of his Masters The mke of  Frances Stockdell

Taken before me Philip Caluert

Nicholas Rawlins Sworne and Examined sayth that upon some words past which he cannot remember Betweene James Woosey and his Mistres she gaue him a box on the Eare, And the said James Woosey vrgeing his Mistress in bidding of her strike him againe and she strucke him diuers tymes and further sayth not

Liber
P. C. R.
Re Woosey

The mke of s Nicholas Rawlins

Taken before me Philip Caluert

Let it be Inquired for the Lord Proprietary whether or noe Francis Stockdell did not some tyme before the 19th day of March last feloniously Steale some Lynnen from Elizabeth Greene her Dame to the vallue of six pence Sterling And whether Anthony Welch were not accessory to the said Felony Contrary to his Lo^{ps} peace Rule and dominion

Attorney
General v.
Stockdell

Then was Impannelld a Jury as followeth

George Mackall	William Mills	} retourned Billa vera
Richard Games	George Taylor	
Thomas Burdett	William Palmer	
George Reade	James Johnson	
Francis Walton	Henry Banister	
William Innis	William Lawrence	

. . . . the vallue of six pence Sterling And that Anthony Welch was accessory to the said Felony contrary to his Lo^{ps} peace Rule and dominion

p. 457

Being asked whether she was Guilty or not Guilty she answered not Guilty and being asked how she would be tryed answered by God and the Country

Whereupon was Impannelld a Jury vizt

Thomas Dent Foreman	George Read
George Taylor	George Mackall
William Mills	William Laurence
Thomas Burdett	Henry Banister
William Innis	James Johnson
Francis Walton	William Palmer

And the Jury brought in their Verdict not Guilty

Wee whose names are vnder written being Summoned to viewe the dead body of Philip Saloman; doe finde that he was accidentally drowned in Brettons baye As Wittnes our hands April 13th 1661

Inquest on
body of
Philip
Saloman

John Jarboe Richard Fowkes, Richard Lloyd William Tetershall Peter Carwardine Thomas Harper Jarman Gillett George Reynolds Walter Pake Robert Thomas his marke R. T. John Dennis John Warren his marke

Liber
P. C. R.
Inquest on
body of
Thomas
Elston

Wee whose names are vnder written hauing viewed the dead bodye of Thomas Elston And wee doe finde that she was accidentally drowned as Wittnes our hands Aprill 10th 1661 John Jarboe Walter Pake Peter Miles his marke | Richard Lloyd Richard Fowks William Tettershall Peter Caradine ⁊ K marke of Robert Sheel, German Gilliard his marke A Thomas Harper John Warren John Daus

Inquest on
body of
Jane Copley

Wee whose names being vnder written hauing viewed the dead body of Jane Copley Servant to M^r Thomas Turner lying in the Roote of a tree in the woods doe verily beleieve that she running away from her master was starved in the same place as Wittnes our hands Aprill the 7th 1661 William Assiter Charles Maynard, James Martine William Walters Robert Joynor his marke R. Peter Kemp his marke Robert Thomas his marke R T Thomas Thomas his marke William Jackson his marke Batholomew Phillips his marke Charles Alexander John Marcarke

Inquest on
the body of
Martha —
p. 458

Wee whose names are vnder written hauing viewed the dead body of Martha ——— doe finde that she was casually drowned as Wittnes Peter Caradine Robert Shelle his marke R German Gilliard his marke Thomas Harper John Daus

April 19
Pake v.
Hammond

Fryday the 19th of April p^esent as aforesaid
To the honorable Philip Caluert Esq^r Gouvernor

The humble peticoⁿ of Walter Pake Sheweth That yo^r peticon^r haueing formerly in the Government of Captaine William Stone Commenced a Suite against John Hammond at a Co^{rt} held the twenty third of March in the yeare of our Lord 1654 for payment of a plantacoⁿ Sould by yo^r peticon^r to the said Hammond It was then ordered by the said Courte that wee should putt it to Arbitrac^on whereunto wee Entred into Bond But the said Hammond would not suffer the party chosen on his side ever to meete, Soe that yo^r peticon^r hath been delayed from tyme to tyme and never could receive any Sattisfacc^on for the said land which is very much to yo^r peticon^{rs} dammage Yo^r peticon^r conceiveing noe Land can be alienated without some deeds vnder hand accknowledged in Courte and considerac^on receiued for itt And yo^r peticon^r hath not receiued satisfacc^on as yett.

Therefore yo^r pet^r desires an order ag^t the Attorney of the said Hammond, whoe is M^{rs} Anne Hammond either for payment according to Bargaine or for his land in kind with Costs of Suite and damages for this long forbearance And yo^r pet^r shall pray &c.

The p[er]t desires p[ro]ut in peticōn aboue mencōned the def^t pro-
duces a Generall Release vnder the p[er]ts hand excepting one bill of Liber
600th of tobacco, the p[er]t. pleades non est factum P. C. R.

Whereupon they ioyned issue and putt it to a Jury:

Vpon which a Jury was impannelld (vizt)

George Macckall	L ^t John Bouge
Richard Games	Isaack Abrahams
Thomas Burdett	George Taylor
George Read	John Read
Francis Walton	William Palmer
William Mills	James Johnson

for the Remayning 600th of tobacco which alsoe was accknowledged p. 459
to be rēcd. by the p[er]t.

March 31th 1655

Receiued by me Walter Pakes of John Hammond full Sattis-
faction of all debts Judgements Bills or Bonds from the beginning
of the world to this day excepting one Bill of six hundred pounds of
tobacco in Caske I say receiued by me Walter Pakes

Whereupon the Courte adjudged the p[er]t to be non Suited with
Costs of Suite

To the hono^{bte} the Gouvernor and Councell of Maryland

Calvert v.
Stone

The humble peticōn of Thomas Manning Attorney Generall to
the Right hono^{bte} the Lord Proprietary Guardian to William Caluert
Esq^r Sheweth That Leonard Caluert Esq^r late Governor of this
Province did in the yeare 1641 take up and Pattent certaine Towne-
land Comonly called the Gouvernors Feild as by the Record of that
yeare fo. 139 appeareth

That the said Leonard Caluert haueing aliened and Sould the s^d
Land vnto Nathaniell Pope, the said Pope by bargaine and Sale
vpon Record dated 4^o January 1646 did the said Land vnto the said
Leonard Caluert Reconvey whereof the said Leonard Caluert after-
ward dyed seised and soe the land vnto William Caluert sonne and
heire vnto the said Leonard Calvert did descend

How soe it is that in the absence of the said heire W^m Stone late
Gouerno^r of this Province did into the said land vnlawfully Enter
which said land is by Thomas Stone the heire of William Stone
aforesaid or by Virlinda his wife in p^etended Right of dower vnlaw-
fully pōssd to the Greate dammage of the said William Calvert
wherefore yo^r pet^r humbly prayes order of this honorable Courte for
possōn of the said Land with damāges and Costs of Suite And yo^r
pet^r shall pray &c.

^{Liber}
P. C. R. The plt desires p[ro]ut. in peticōn aboue mencōned The def^t desires to be tryed by a Jury whereupon the Jury vnder written was Impannellld, (vizt)

Nicholas Young Foreman	L ^t John Bouge
George Mackall	Isaack Abrahams
Walter Pake	George Taylor
William Mills	———— Reade

p. 460 4^o January Bargaine and agreed this day Betweene the Governor Leonard Caluert Esq^r and M^r Pope to this effect vizt that the said Nath: Pope hath Sould vnto the Governor his dwelling howse at S^t Marys and the Land belonging to itt, and all the Sawed Boards and all loose tymber that are now in or aboute the howse excepting foure boards and the worke of John Cooke due to M^r Pope for the Couering of the howse he the said Gouvernor findeing all necessaryes to itt besides the said John Cookes owne worke, And for price thereof the said Gouvernor is to discharge the said M^r Pope of foure thousand pounds of tobacco due for his p^esent Leauy and to allowe him a Roome at the End of the howse to putt his thinges in till Spring of the yeare that he can Remove them

Aprill 16th 1661 vera Copia Ex. 7p Signed, Henry Coursey

I Margaret Brent Gent aged Sixty yeares or thereabouts doe testefye that I never did make any Conveyance of the howse and land of S^t Marys which formerly was Leonard Caluerts Esq^r to Captaine William Stone and that neither he nor the heires of the aforesaid William Stone hath any right or tytle to the aforesaid house or Lands In wittness whereof I haue hereunto Sett my hand this Eight day of Aprill 1661

Margaret Brent

Signed in the p^esence of us The marke X of Samuell Edwards
The mke } of John Dowson

The Jury retourned and found for the plt the Case with Costs of Suite whereupon It was ordered that according to the demand of the plt he hath possōn given him by the Sherriffe

Re
Empson's
Estate M^r Robert Slye moves the Courte to haue Administracōn on the Estate of William Empson he being greatest Creditor, the Courte being of opinion that the right of Administracōn did belong to the decedents Widdowe but she haueing neglected the demand thereof six weekes or thereabouts The Courte orders that a moneths tyme be given to the said Widdowe to Come and make her demand to the same in defaulte that the Secretary pass Administracōn to the Greatest Creditor that shall within the tyme aforesaid appeare, And desire Administracōn of the same, And that this Order be putt vp at . . .

To the honorable the Gouvernor and the rest of the Councell now Sitting

Liber
P. C. R.
p. 461
Atchison v.
Cager

The humble peticōn of Robert Cager Sheweth That yo^r peticon^r being very weake in body and in noe Capacity to cast or putt all Accompts and Reckoninge in any forme of a Suite depending Betwixt Vinson Atchison and yo^r pet^r. Yo^r peticon^r craues yo^r Honors for a Refference till the next Courte and he shall pray &c.

In Consideracōn that one of the def^{ts} Wittnesses lying very sick It is referred whilst the next Courte and the def^t is to bring the deposicōn of the Relict of William Hungerford now wife to William Barton at the next Courte vnder the hand of some of the Com^{rs} for this County

The Administrato^{rs} of Jane Fenwicke desires a Quietus est of the Estate of Cuthbert Fenwicke to whome she was Administratrix. It is therefore Ordered that any person that shall pretend to any credit to that Estate doe come in and make it appeare before the next Courte otherwise a Quietus est to be graunted And that this be affixed at the Courte Doore.

Re
Fenwicks
Estate

John Gittings Clre

To the Right honorable the Gouvernor of the Prouince of Maryland.

Ex parte
Martin

The humble peticōn of Patience Martine Widdowe Humbly Sheweth That whereas yo^r peticon^r was at this last honorable Courte and did there proue the will of her deceased husband whereupon M^r Coursey pmised yo^r peticon^r a letter of Administracōn whereby I might lawfully Enjoye and possesse my rights of the land and howseing therein bequeathed to yo^r pet^r and her Children, but the Widdowe Martine George Wilson and Thomas Ward most barbarously last night halled me out of my howse and shoved my Children out head long alsoe soe that wee were forced to lye out in the plantacōn all night, and they haue nayled up the doores of my howse and the tobacco howse which yo^r peticoners husband built Soe that yo^r pet^r could not gett into them and they farther threaten that tomorrow they Bedd and other goods out of yo^r peticon^{rs} howse.

. . . . desires yo^r honor to graunte an Order to possesse Reenter and Enjoye her howseing and Ground without Lett or molestacōn And that yo^r peticon^r may quietly possesse and make vse of the same Soe that she and her Children may not pish for want thereof And yo^r pet^r shall ever pray.

p. 462

Vpon the peticōn aforesaid It is ordered that the Sherriffe doe possesse her in her said howse and Land out of which as she alleadges she was violently Ejected and that he doe by the oathe of twelue Lawfull men of the Neighbourhood which he is hereby impowred to Suñon Enquire of the said force and retourne their verdict into this Courte by the first day of the next Courte

Liber
P. C. R.
April 23
Re Cooper

Tuesday 23th Aprill present as aforesaid

This day came Samuell Cooper Sonne of Sampson Cooper and desired to haue liberty to choose his Guardian he alleadgeing that he was 16 yeares old, which the Courte admitted Whereupon he chose Hugh Lee of S^t Marys Innholder to be his Guardian.

Re
Knowles's
Estate

Whereas M^r Edward LLoyd tendered to this Board a Bill obligatory of Guy Knowles late deceased intestate for the payment of three hundred and nine pounds of tobacco And whereas the said M^r Lloyd informed the Board that there was some Sallary from the Publike due to the said Knowles as Interpreter amongst the Indians It is therefore ordered that M^r Lloyd be the first payd out of the Estate of the said Guy Knowles and that in case the said Sallary be not already payd to the said Guy Knowles that then the Sherriffes that were to leauy the same or shall hereafter be ordered to leauy the same shall deposite it into the hands of M^r Edward Lloyd.

Present

May 16	At a Speciall Courte held at Spesutia 16 th May 1661	}	Philip Calvert Esq ^r Governor Henry
			Coursey Esq ^r Sec. Baker Brooks
			Edward Lloyd and John Bateman
			Esq ^{rs} Councello ^{rs} .

Was read the petition of Bridgett Nelson as followeth

Nelson v.
Stocckett
p. 463

To the honorable the Gouvernor and Councell of Maryland
The humble peticōn of Bridgett Nelson Sheweth That aboute the foure by breakeing of a peice of Silver which Silver being divided betweene them for the purpose aforesaid And yo^r peticon^r being then a Servant to one M^r Holland of the Herring Creeke the said Quintin Counyer desired one Richard Wells for to free yo^r peticoner, and to pay for her freedome out of his Estate; but the said Richard Wells neglecting to doe itt, he imediately fell Sicke and made M^r Francis Stocckett his Attorney, and desired him to free yo^r peticon^r which he did accordingly, And the said Quintin Conyer in his sicknes did giue all his Estate both reall and personall to M^r Francis Stocckett And the said Stocckett in regard he bought her out of the said Counyers Estate doth intend to make her a Servant, And moreover did vpon his death Bedd relate that he the said Quintyn Conyer was married before God to yo^r peticon^r by breakeing of the afores^d Siluer Betweene them, as by wittnes yo^r pet^r can make appeare
Now yo^r pet^r humbly desires yo^r hono^{rs} to take it into yo^r serious Consideracōn whether she be a Servant or a freewōma And yo^r pet^r shall pray.

Vpon the peticon of Bridgett Nelson aboue written aboute her Freedome from M^r Francis Stocckett whoe claymed her as parte of

the Estate of Quintyn Counyer deceased it appeared to the Courte Liber
P. C. R. that the decedent had given her her freedome vnder his hand in his life tyme by a letter dated december 11th 1660; And M^r Stockett ackknowledgeing the said letter to be y^r decedents acte It is thereupon ordered that the said Bridgett Nelson be hereby declared free.

Beloved Bridgett

Having this opportunity I could doe noe lesse then p^esent my Affeccōn vnto yo^u and to Informe yo^u that I haue given order to William Hunte for to take noething of yo^r Master for what he oweth me, but Tobacco or yo^r freedome which I desire yo^u to accept off, and to speake with William Hunte aboute itt for it is the Cheife of my desires to Continue yo^{rs} whilst I am Quintin Conyer

The Indictm^t of Thomas Gibbons

p. 464
Attorney
General v.
Gibbons

Let it be Enquired for the Lord Proprietary whether Thomas Gibbons now or late of Baltemore County not haueing the feare of God before his Eyes vpon the fourth day of May at the howse of Peter Meyor in Sasafrax Riuer within the County aforesaid a parcell of black peake to the vallue of forty shillings feloniously did take and carry awaye contrary to the peece of his said Lōp his rule and dignity

Then was Impannellld a Grand Jury as followeth (vizt)

Thomas Stockett Foreman	John Taylor	} Gent :
Francis Stockett	Thomas Powell	
George Uetye	Thomas Powell senior	
Richard Bennett	Symon Carpenter	
Godfrey Bayley	Charles James	
George Gouldsmith	James Robinson	
Henry Stocckett	Richard Collett	
Richard Wells		

And the Jury retourned and brought in their Verdict billa vera. The Jury doe p^esent for the Lord Proprietary that Thomas Gibbons now or late of Baltemore County not haueing the feare of God before his Eyes vpon the fourth day of May at the howse of Peter Meyor in Sasafrax Riuer within the County aforesaid a parcell of Black peake to the vallue of forty shillings feloniously did take and carry awaye Contrary to the peace of his Lōps his Rule and dignity.

Being asked whether he was Guilty or not Guilty he answered Guilty

Whereupon Sentence past vpon the said Thomas Gibbons (vizt) That he goe from hence to the place from whence he came and from thence to the place of Execucōn and there to be hangd by the neck vntill he be dead dead dead and soe the Lord haue mercy on his Soule.

Liber
P. C. R.
p. 465

Cæcilius absolute Lord and Proprietary of the Province of Maryland and Avalon Baltimore &c To John Collett inflicted vpon the body of Thomas Gibbons to morrow being Sattirday betwixt the houres of nine and Eleauen of the clock in the forenoone according to the Sentence giuen this 17th day of May in our Provinciall Courte Wittnes our Deare Brother Philip Caluert Esq^r our Leiuetenn^t of our said Province of Maryland.

Signed Philip Calvert

Cæcilius &c to M^r John Collett High Sherriffe of Baltimore County Greeting Whereas by Judgement and Sentence of death was by our Leiuetenn^t and Councell denounced against Thomas Gibbons the 17th inst requiring yo^u by writt vnder the hand of our Leiuetenn^t and Sealed wth our lesser Seale at Armes to see the Execucōn performed this p^esent instant betwixt the houres of nine and Eleaven of the Clock in the Afternoone, Wee haueing of our meere mercy to the said Thomas Gibbons in hopes that for the future he may become a new man pardoned and freely forgiuen him this felony whereof and vnder which he now stands condemned. Wittnes our Deare Brother Philip Caluert Esq^r our Leiuetennant of our said Province of Maryland.

Philip Calvert

[For petition of Samuel Gouldsmith et alii and action thereon see 3 Md. Arch. Coun. 418]

[For petition of Nathaniel Utye and action thereon see 3 Md. p. 466 Arch. Coun. 419]

31th May 1661

Re Turney's
Estate
p. 467

Vpon the mocōn of severall of the Estate of Richard Turney past ag^t one thousand acres of land called Buckingham lying in Sasafrax Riuer within the said County late in the occupacōn and possession of the said Richard Turney for the sattisfying of the aforesaid Creditors which are as followeth (vizt) to Phillip Caluert Esq^r Coll Uetye one thousand nine hundred M^r Edward Lloyd two thousand fiue hundred M^r John Bateman one thousand Axell Stille one thousand Eight hundred John Wheeler seauen hundred Thomas Sampson foure hundred And that a writt be issued forth to the Sheriffe of the said County to Impannell a Jury of twelue able Freemen or more for the appraysem^t thereof and a retourne of the appraysement to be made by the tenth of September next.

Re
Gouldsmith

Thomas Gouldsmith his letter of Attorney to his brother Geo: Gouldsmith

Knowe all men by theis p^esents that I Thomas Gouldsmith of the Ile of Wight County in Virginea Planter hath and doe hereby Con-

stitute ordeine and appoynte my trusty and welbeloved Brother Liber ^B
P. C. R.
George Gouldsmith in the County of Baltemore in Maryland Planter
my true and lawfull Attorney for me and to my vse and in my place
and steed to dispose of or make absolute Sale of three hundred acres
of land properly belonging vnto me and being parte of a Devident
of land of mine Scituated lying and being in the same County and to
giue and Grant as full & ample deeds of Sale or Conveyance for the
same as if I were there personally p^esent giveing and granting vnto
my said Attorney full power and authority to receiue all such Sumes
of moneyes goods or tobaccoes which shall accrewe by the Sale of
the said land houlding and alloweing whatsoeuer my said Attorney
shall doe or cause to be done on the p^emisses as effectuall as I might
or could doe being there personally p^esent And after such Sale made
and vpon the non payment of what shall thereby growe due vnto me
from any person or persons to arrest impleade Condemne and im-
prison and at his will and pleasure againe to release and vpon the
Receipts of any moneyes Goods or tobaccoes to my vse in my name
to giue as full discharges as I could doe being there present In Con-
firmacōn whereof doe hereby binde my selfe heires Exec^{rs} and Ad-
ministrato^{rs} to allowe and Confirme for Attorney shall legally
doe or to my vse cause the 26th of January
signed sealed and deliuered in the p^esence of

Knowe all men by theis p^esents that I George Gouldsmith of p. 468
Baltemore County in the Province of Maryland Planter by vertue of
a letter of Attorney to me from my Brother Thomas Gouldsmith
dated the 26th of January 1660 for and in Consideracōn of the
Sume of foure thousand pounds of tobacco to me in hand payd doe
hereby assigne over and Sell vnto Richard Wells Junior and his
heires for ever three hundred acres of land out of a tract of six
hundred called Planters Delight beginning and adjoyning vpon the
Land of Major Samuell Gouldsmith And I the said George Gould-
smith my Executors and Administrators and every of vs the said
three hundred acres shall and will warrant acquitt and for ever
defend against all people by theis p^esents In Wittness whereof I the
said George Gouldsmith haue hereunto putt my hand and Seale this
20th of May 1661 Signed George Gouldsmith
Wittness John Gittings

To all Christian People to whome theis p^esents shall come I Henry Re Meese
Meese of London Merchant send Greeting Whereas there is a cer-
taine tract of Land due to me in the Province of Maryland called by
the name of Worton and Surveyed for me the said Henry as amonge
the Records in the said Province more at large may appeare Now
Knowe yee that I the said Henry Meese as well for and in Considera-
cōn of the Quantity of twelue thousand pounds of Tobacco to me the

Liber said Henry Meese to be payd by Edward Carter of Virg^a in America
P. C. R. Esq^r as for diuers other good Causes and Consideracōns me there-
vnto moueing Haue Granted transferred Assigned and Sett over
And by theis p^esents doe clearely and absolutely Grant transferre
assigne and Sett over vnto the said Edward Carter all my Estate
Right tytle and Interest in and to the said tract of Land called Wor-
ton aforesaid To haue and to hould the same vnto him the said
Edward Carter and his heires for ever In Wittness whereof I the
said Henry Meese haue herevnto sett my hand and Seale the foure-
teenth day of September in the yeare of our Lord God One thousand
Six hundred and Sixty

p. 469
Rutton
v. Utye
May 31th
Baltemore county Cæcilius &c. to the Sherriffe of Baltemore
County &c Command Nathaniell Vtye of Spesutia in the said County
and Mary his wife that justly &c. they hould Covenante to Garrett
Rutton of three hundred acres of land lying in Oakeington in the
said County &c.

And the finall Concord is that the said Nathaniell Vtye and Mary
his wife haue accknowledged that the said three hundred acres in
Oakeington aforesaid with the appurtenances are the Rights of the
said Garrett Ruten as that which the said Garrett Ruten is the guifte
of the said Nathaniell and Mary his wife, and the said Nathaniell
and Mary his wife haue and quitt claymed from them the said
Nathaniell and Mary and the heires of the said Nathaniel the said
three hundred acres to the said Garrett Ruten and his heires for ever
And further the said Nathaniell and Mary haue granted for them-
selues and the heires of the said Nathaniell that they will warrant
the said land to the said Garrett Ruten and his heires against them
the said Nathaniell and Mary and the heires of the said Nathaniell
for ever and for this Recognicōn Remission Quitt clayme Warranty
Fiue and Concord the said Garrett Ruten hath given to the said
Nathaniell and Mary his wife the Sume of three thousand pounds
of tobacco.

James v.
Gouldsmith
Idem mutatis mutandis to the Sherriffe of Baltemore County &c
Commmand George Gouldsmith and Mary his wife that justly &c
they hould Couen^t to Charles James of three hundred acres called
Georgestowne and three hundred called Smithstowne lying at Steele-
pone Creeke

3^o Junij
Babtist v.
Lindsey
John Babtist demands a writt to arrest Edmund Lindsey in an
accōn of the case

Warr^t mde to the Sherriffe of Charles County to arrest ret: the
first day of the next Courte

Idem demands a Subpa for Thomas Pritchard to testefye in the
Cause aforesaid, Sumōns issued.

Thomas Burdett demands a Subpa for William Graues and Stephen Yoe, to testefye in a Cause Betweene the said Burdett and ————
 Warr^t mde to the Sherriffe of S^t Marys County to arrest ret the first day of the next Provinciaall Courte

Liber
 P. C. R.
 Burdett
 v. ————
 p. 470

Idem demands a writt to arrest Jacob Michells in an accōn of debt of five thousand five hundred pounds of tobacco

19th June
 Burdett v.
 Michells

Warr^t mde to the Sherriffe of Calvert County to arrest ret. vt Supra.

Robert Slye demands a Scire facias ag^t Robert Macklyn

Slye v.
 Macklyn

Scire facias issued against Robert Macklyn to appeare at the next Provinciaall Courte to shew cause why he did not pay Eight hundred forty six pounds of tobacco vnto M^r William Barrett of London Merchant or vnto his Attorney according to a Judgem^t of the same in the Record in the County of S^t Marys

Warr^t mde to the Sherriffe of S^t Marys to apprehend the body of Clement Harbert vnder Sherriffe of Rappahannocke lately fledd from Virg^a into this Province

22th June
 Re Harbert

Warr^t mde to the Sherriffe of S^t Marys County to apprehend the body of Thomas Coartney ret the first day of the next Courte

Attorney
 General v.
 Courtney

Eodem die Thomas Courtney Daniell Clocker and Thomas Allanson Entred into Recognizance as security for the said Courtney to the Lord Proprietary in the Summe of 15000th of tobacco.

Richard Collett Attorney to Augustine Herman demands Execu^{cōn} ag^t the Estate of Major George Colclough who married the relict of Symon Overzee dēcd.

Herman v.
 Colclough

Execuco mde to the Sherriffe of S^t Marys County the two and twentyth of June ret. the first day of the next Courte

Thomas Allanson demands a writt to arrest William Brookes in an accōn of Assaulte and Battery to the vallue of tenn thousand pounds of tobacco.

4th July
 Allanson v.
 Brookes

Warr^t mde to the Sheriffe of S^t Marys County to arrest &c. ret, the first day of the next Courte.

Idem demands a writt to arrest Thomas Coartney in an accōn af the Case to the vallue of five thousand pounds of tobacco

Allanson v.
 Courtney
 26th July

Warrant mde to the Sherriffe of S^t Marys County to arrest ret 1st day of the next Courte

Liber
P. C. R.
Re Allanson
p. 471

Memorandum this nynth of July came Thomas Allanson Richard Willan and Hugh Lee and Entred into Recognizance as Security for the said Allanson to the Lord Proprietary in the Sume of forty pounds Ster.

Re Bushell

Memorandum this 20th of July 1661 came John Abbington and desired theis two Bills following to be Recorded vizt This Bill byndeth me Edward Bushell my heires Executors Administrators or assigns to pay vnto Cap^t Thomas Cornewallis or to his Assigns the full and just Summe of two thousand two hundred and two pounds of good tobaccho and Caske in Potowmack River, at or before the tenth day of October next ensueing the date hereof, if that the said Bill be not payd written of Thomas Adams at or before that tyme as Wittnes my hand this Eight day of July 1654

Edward Bushell

Wittness Math : Stone

Re Adams

This Bill byndeth me Cap^t Thomas Adams my heires Ex^{rs} Administrato^{rs} and Assigns to pay or cause to be payd vnto Cap^t Thomas Cornewallis of Maryland Esq^r or his assigns the full and just Quantity of two thousand two hundred and two pound of Good Sound leafe tobacco with Caske at or before the tenth of June next ensueing the date hereof at some place within the River of Potowmack in the Province of Maryland for the true performance whereof I binde my selfe my heires Executors and Assigns firmly by theis p^esents Wittnes my hand this 18th of Aprill 1654 Tho : Addams

Signed and deliuered in the p^esence of vs Cuth: Fenwicke Rich: Hotchkeyes

21th July
p. 472
Games v.
Beckwith

Richard Games demands a writt to arrest George Beckwith in an accōn of the case

Warr^t mde to the Sherriffe of Calvert County to arrest ret 1st day of the next Provinciall Courte

25th July
Hack v.
Wright

George Hack demands a writt to arrest Francis Wright in an accōn of the case Warr^t mde to the sher. of Balt. C. ret. 1st next Co^{rt}.

Hack v.
Morgan

Idem demands a writt to arrest Abraham Morgan in an accon of the Case.

Warr^t mde to the Sherriffe of Baltemore County to arrest ret. vt Supra

Hack v.
O'Maly

Idem demands a writt to arrest Bryan Omaly in an accōn of the Case.

Warr^t mde to the Sherriffe of Baltemore County to arrest ret. vt Supra.

John Anderton demands a writt to arrest Thomas Bennett in an accōn of the case

Liber
P. C. R.
5th August
Anderton v.
Bennett

Warr^t mde to the Sherriffe of S^t Marys County to arrest ret. the first day of the next Provinciaall Courte

William Bushell demands a writt to arrest Thomas dent Executo^r vnto Coll. William Price in an accōn of the case.

Bushell v.
Dent

Warr^t mde to the Sherriffe of S^t Marys County to arrest ret: ut Supra.

Robert Hooper demands a writt to arrest William Greene and Elizabeth his wife in an accōn of the case

Hooper v.
Greene

Warr^t mde to the Sherriffe of S^t Marys County to arrest ret ut Supra

John Vanhack recordeth his marke of Cattle &c vizt over Keeled on the left eare and cropt on the Right and one other marke which is over Keeled on the Right Eare and a hole in the left

Cattle mark

William Asberston recordeth his marke of Cattle &c (vizt) Cropt on both Eares and the Arrowhead taken out behind of both Eares.

7th Aug.

William Calvert Esq^r Recordeth his marke of Cattle &c (vizt) the Left Eare with the fore parte taken away and on the Right Eare the hind parte taken away

31 May 1661

This day came M^r Charles James and Surrendred up a Pattent of three hundred acres called Smithstowne to the Lord Proprieto^r and desired that he might haue a new one Granted him with an addicōn of three hundred acres more to itt and to be all putt into one Pattent and to be called Drayton

p. 473
9th August
Re James

This day came Richard Forster and desired the ensueing Indenture to be Recorded (vizt)

10th Aug.
Re Forster

This Indenture made the foure and twentyth day of February in the yeare of our lord one thousand Six hundred forty Seaven Betweene Thomas Gerrard of ————— in the Province of Maryland Esq^r of the one party and Nicholas Guyther and Thomas Jackson of the same place Planters of the other party Wittnesseth that the said Thomas Gerrard Esq^r hath demised and to farme sett and by theis p^esents doth demise and to farme lett one Neck or parcell of ground with one Iland called by the name of S^t Margaretts Iland Bounding vpon Wiccocomaco River North and soe running vp North from a Branch of a Creeke called by the name of Back Creeke and soe Northward soe farr as doth or may contayne seaven hundred acres in measure To haue and to hould the same Iland with the neck of land by them the said Nicholas Guyther and Thomas Jackson their heires Executo^{rs} or assigns for and during the tearme of one and

Memd. that
the word
(Branch)
interlined
was in the
originall
almost
worne out

Liber twenty yeares Beginning from Christmas in the yeare of our lord one
P. C. R. thousand Six hundred forty three and when the aforesaid tearme of
twenty one yeares is expired it may be lawfull for the said Nicholas
Guyther and Thomas Jackson to renewe their lease payeing to the
said Thomas Gerrard his heires Executors or assigns one yeireling
Heifer fine and soe from one and twenty yeares to one and twenty
yeares payeing the aforesaid fine vntill the worlds End without moles-
tacōn or trouble of him the said Thomas Gerrard his heires or As-
signs for the tyme being And it shall be lawfull for them the said
Thomas Jackson and Nicholas Guyther to cutt or fell tymber or
cutt Seige for their vse or vses any where within the said Manno^r
and to haue liberty to fish fowle or Hunte any where within the said
Manno^r excepting the two Ilands And further all fencing and In-
closeure ag^t Hoggs or other Cattle shall be done at the proper cost
and perill of and Thomas Jackson their therefore yearlye
p. 474 at S^t Clements Manno^r three Barrells of good Corne at the nativity
of our lord and if the said Rent be not payd within twenty dayes
after the daye it being demanded then it shall be lawfull for him the
said Thomas Gerrard his heires Executors or Assigns to distrayne
vpon the said land for the said Rent And if there be noe Goods found
vpon the said land to distreyne then the said land to fall and retourne
to the lord of the said Manno^r And appeareing vpon Summons at any
Courte held within the said Manno^r And to performe and acquitt all
dues dutyes and services as to a Courte Barron belongeth In Wittness
whereof the said Thomas Gerrard hath hereunto putt his hand and
Seale the day and yeare aboue written Tho Gerrard

Sealed and Deliuered in the p^esence of George Colclough Will:
Pindley

Knowe all men by theis p^esents that I Nicholas Guyther of the
Province of Maryland doe assigne over all my Right tytle and
Interest in the aboue menconed Pattent vnto Thomas Jackson As
wittnes my hand this 15th of August 1652 Nicholas Guyther

Attorney
General v.
Gerard
vide 1 Md.
Arch. Ass.
389

Cæcilius &c To the Sherriffe of S^t Marys County his deputy or
deputyes to yo^u and every of yo^u Greeting whereas Thomas Gerrard
of S^t Clements Manno^r did upon the 28th of February last Enter into
Recognizance to us in the Sume of 10000^t tob. in case he the said
Thomas Gerrard should not well behaue himselfe towards us and all
the people of this Province &c And Whereas the said Tho: Gerrard
hath forfeited his said Recognizance as is alleadged Wee Command
yo^u that yo^u make knowne vnto the said Tho: Gerrard that he be
at our Provinciaall Courte on the Eight of October next there to
shew cause why the said Sume of 10000th tob. should not be leauyed
upon his lands Goods and Chattles according to the effect of his
Recognizance then haue yo^u there the name of those p^{er}sons by whome
yo^u haue made

Subpa mde to the Sherriffe of St Marys County to Sumons Rich-
ard Forster Ralph Haywood and Edward Turner to testefye &c ret
ut Supra. Liber
P. C. R.
p. 475

John Elzey demands writt to arrest Henry Hooper in an accōn of
debt Elzey v.
Hooper

Warr^t mde to the Sherriffe of Calvert County to arrest ret ut
Supra

Idem demands a Subpa for Thomas Turner to testefye &c Sumons
mde to the Sherriffe of St Marys County

Idem demands a Subpa for Samuel Goulds[mith] testefye
&c ret. ut Supra

Sumons mde to the Sherriffe of Balte. County.

Memorandum that this two and twentyth day of June 1661 Thom-
as Coartney Daniell Clocker and Thomas Allanson came personally
before me Phillip Calvert Esq^r one of his Lo^{ps} Justices of the peace
of this Province And the said Thomas Allanson and Daniell Clocker
did vndertake for the aforesaid Thomas Coartney and then the said
Thomas Coartney did then for himselfe vndertake that the said
Thomas Courtney would appeare at the next Provinciaall Courte to
be houlden at Saint Marys the Eighth of October next And that in the
meane tyme he doe well behaue himselfe towards his said Lo^p and
all the people in this Province to (witt) that he doe not nor procure
to be done any damage or hurte to any the people of this Province or
any of their Cattle whatsoeuer by lying wayte insulte or any other
manner that may tend to the breach or disturbance of his Lo^{ps} peace,
That is to say each of the said daniell Clocker and Thomas Allanson
vpon payne of fīue thousand pounds of tobacco and the said Thomas
Coartney vpon payne of fīue thousand pounds of tobacco which said
seuerall Sum^s of fīue thousand pounds of tobacco the said daniell
Clocker and Thomas Allanson as aforesaid and each of them for
himselfe and the said Thomas Courtney the said Sume of fīue
thousand pounds of Tobacco did accknowledge to owe to his Lō^p the
Lord and this Province of the lands Goods and Chattles
to be leauyed to the vse of Coartney shall shall happen to p. 476
fayle in any of the p^emisses and hereof be lawfully convicted dated at
St Marys the day and yeare abouesaid

Thomas Courtney
The mke D C of daniell
Clocker

Thomas Allanson

Capt et Recognit coram nobis John Gittings Robert Peyton

By authority from me to them delegated and after the Raysures
and Interlineings Philip Caluert

Memorandum that this fourth day of July 1661 Thomas Courtney
and Daniell Clocker came personally before me Philip Calvert Esq^r

Liber Governor of the Province of Maryland and the said daniell Clocker
P. C. R. did vndertake for the aforesaid Thomas Coartney and then the said Thomas Coartney did for himselfe undertake that the said Thomas Coartney would appeare at the next Provinciaall Courte to be houlden at S^t Marys the Eigth of October next, And that in the meane tyme he doe well behaue himselfe towards his Lō^p and all the people in this Province to witt that he doe not nor procure to be done any damage or hurte to any of the people of this Province or any of their Cattle whatsoeuer by lying wayte Insulte or any other manner that may tend to the breach or disturbance of his Lō^{ps} peace, that is to say the said Daniell Clocker vpon payne of fīue thousand pounds of tobacco and the said Thomas Courtney vpon payne of tenn thousand pounds of tobacco which said seu^eall Sum^s of fīteene thousand pounds of tobacco the said daniell Clocker for himselfe and the said Thomas Courtney for himselfe doe accknowledge to owe to his Lō^p the Lord and Proprieto^r of this Province of the land goods and Chattles of them and euery of them to be leauyed to the vse of his said Lō^p. if the said Thomas Coartney shall happen to fayle in any of the p^emisses and hereof be lawfully Convicted dated at S^t Marys the day and yeare abouesaid

Capt et Recognit

Thomas Courtney

Attorney Memorandum that the Eight and twentyth day of February in the
General v. yeare of our Lord 1660 Thomas Gerrard of S^t Clements Manno^r in
Gerard the County of S^t Marys came personally before us the Governor and
p. 477 Councell and did assume for himselfe vpon payne of tenn thousand weight of tobacco that he shall well behaue himselfe towards his Lō^p the Right hono^{bte} the Lord Proprietary and all the people of this Province whatsoeuer to witt that he shall not doe or cause or procure to be done any dammage or hurte to any of the said people vpon their bodyes by lying in wayte insulte or any other meanes which may any wayes tend to the hurte or disturbance of his Lō^{ps} peace nor speake or doe any contempt of his Lō^{ps} rule and Gouvernm^t, here or for the publishing establishing or advancing any other Right or tytle to the Propriety or dominion of this Province then the right and tytle of his said Lō^p or his heires which said Sume of tenn thousand pounds of tob he did accknowledge to owe to his said Lō^p of his respective lands and tenements Goods and Chattles to the vse of his said Lō^p and his heires to be made and leauyed to whose hands soeuer the same shall come, if the said Thomas Gerrard shall infringe or breake any of the p^emisses Respectiue In Wittness whereof wee the said Governor and Councell haue hereunto sett our hands and lesser Seale of this Province dated at S^t Marys the day and yeare first aboue written

Philip Calvert
Hen : Coursey

Rob^t Clarke
Edd : Lloyd

Baker Brooke
John Bateman

Elizabeth Bedlum dem^{ds} a writt to arrest Hugh Lee in an accōn of debt as Ad^{tor} to Sampson Cooper

Liber
P. C. R.
Bedlum v.
Lee

Warr^t mde to the Sherriff of S^t Marys County to arrest ret. ninth of october

Warr^t to the Sherriffe of Baltemore County to apprehend William Gyles vpon suspicon of murder

Attorney
General v.
Giles

Patience Martine demands a writt to arrest Ellinor [Martine] in [an] accōn of

Martine v.
Martine

. . . . of S^t Marys County to arrest

Daniell Clocker demands a writt to arrest Thomas Coartney in an accōn of the case

p. 478
Clocker v.
Courtney

Warr^t mde to the Sherriffe of S^t Marys County to arrest ret ut Supra

Ellinor Martine demands a writt to arrest Patience Martine in an accōn of the case

Martine v.
Martine

Warr^t mde to the Sherriffe of S^t Marys County to arrest ret ut supra

Thomas dent demands a Subpa to Suñons Zachary Wade to teste-fye &c in a cause Betweene the said dent and William Bushell Subpa mde

Bushell v.
Dent

Jacob Lcmbrozo demands a writt to arrest James Jolly in an accōn of the Case

Lumbrozo
v. Jolly

Warr^t mde &c

Idem dem^{ds} a Subpa to Suñons Will^m Bretton Thomas Cager and Edmund Hanfeild to testifye &c. Subpa mde

Elizabeth Bedlum demands a writt to arrest Hugh Lee Adm^r to Sampson Cooper dēcd in an accōn of debt

Bedlum v.
Lee Adminir.

Warr^t mde to the Sherriffe of S^t Marys County to arrest ret ut supra

Thomas Gerrard demands a writt to arrest Robert Cole in an accōn of the case

Gerard v.
Cole

Warr^t mde &c ret ut supra

Warr^t to the Sherriffe of Calvert County to apprehend the body of Anne Nevell vpon Suspicion of murder.

Attorney
General v.
Nevell

Liber Henry Moore dem^{ds} a writt to arrest Josias Fendall in an accōn
 P. C. R. of the case
 Moore v. Warr^t mde to arrest &c. ret ut supra
 Fendall

1661 At a Provinciall Courte held at S^t Marys on Tewsday the Eigth
 p. 479 of october 1661
 Oct. 8

Present Phillip Calvert Esq^r Gouvernor Henry Coursey Esq^r Sec-
 retary M^r Robert Clarke M^r Baker Brooke and M^r Edward Lloyd.

To the Right honorable the Gouvernor and Councell of the Prouince
 of Maryland

Atchison v. The humble peticōn of Vincent Atchison Humbly Sheweth That
 Cager Whereas there is an obligacōn from Robert Cager for tenn pounds
 Sterling due to yo^r pet^r which said obligacōn is not performed
 Wherefore yo^r peticon^r humbly desireth yo^r hono^{rs} to graunt an order
 for the same with dammages and Costs of Suite according to lawe
 and Justice wherein yo^r pet^r shall be euer bound to pray

Vincent Atchison his Letter of Attorney to John Metcalfe

Knowe all men by theis p^esents that I Vincent Atchison of the
 County of S^t Marys within the Province of Maryland doe Constitute
 and appoynte my louing freind John Metcalfe of the same Province
 gent my true and lawfull Attorney in all Causes wherein I shall be
 either plt or dēf^t for this present Provinciall Courte being the
 Eighth of October and I giue to my said Attorney full power to make
 either Attorney or Attorneys according to this discrecōn as if I were
 p^esent my selfe Wittness my hand this seauenth of October 1661

Wittness Hugh Lee Clement Herbert Vincent Atchison

The Condiçōn

Knowe all men that I Vincent Atchison doe binde my selfe to
 serue Robert Cager his wife or Children in case the said Robert
 departe this life in the tyme of my seruice in such service and Em-
 ploym^t as he the said Cager as aforesaid shall employ me in for and
 during the tearme March come two yeares which whereof
 p. 480 I haue herevnto sett my hand this second day of Aprill 1653

Wittness John Lawson Walter A Beane his marke

Knowe all men by theis p^esents that I Robert Cager doe binde my
 self my heires Executo^{rs} Administrators and assignes to Vincent
 Atchison to giue and deliuer or cause to be deliuered one Cow
 Calfe in Aprill twelue moneth next ensueing 1654 And tenn pounds
 sterling or goods to the vallue when the abouesaid Vincent Atchison

hath serued me in such service as I shall Employ him in during his tyme of Service which tyme is, till the last of next March come two yeares And further I the said Robert as aforesaid doe and will give the said Vincent when his full tyme is Expired Ground and houseing for to plant and cure his Cropp vnto the abouesaid I haue hereunto sett my hand this second day of Aprill 1653

Liber
P. C. R.

Wittness John Lawson Walter A Beane his marke

13th Aug. 1661

Ann Barton aged twenty yeares and vpwards sworne and Examined vpon her oathe sayth That six or seaven yeares agoe this said depon^t doth Remember that her deceased husband W^m Hungerford before she was marryed did pay to M^r Hatch two hhds of tobacco for the vse of M^r Cager in parte of payment for a mayd seruant that William Hungerford had of M^r Cager which afterwards Vincent Atchison had and marryed and was to make sattisfaccōn for her to M^r Cager and since my husbands death my father hath rēcd two hhds of Vincent in the Roome of the two hhds my husband did pay to M^r Hatch and further sayth not

This deposicōn was taken before me W^m Marshall D his marke

This depon^t sayth that three yeares agoe or thereabouts being at Cap^t Prices plantacōn this depon^t was there with the p^{lt} and see him bring out some paps in his hand and amongst them the bond of the dēf^{ts}, and the p^{lt} did say that if he would he could play the Knaue with M^r Cager the def^t and further Sayth not

p. 481

Jurat coram me Thomas Dent

The Deposicōn of George Taylor aged aboute twenty fve yeares Sworne and Examined the 3^d day of . . . Sayth That when I was a Liuer in M^r Cagers howse aboute the yeare 1657 I heard M^r Robert Cager aske Vincent Atchison when they should come to accompt he answered at any tyme he asked him, and they agreed both to come to John Lawsons, Robert Cager went at the tyme and place appoynted but Vincent came not, M^r Cager tould Vincent of his disappoyntm^t &c asked him againe when and where they should come to Accompts Vincent sayd any day when he would at the Cross and a day was appoynted. And M^r Cager went the day appoynted, but Vincent was not there Vincent comeing againe to M^r Cagers howse M^r Cager asked Vincent when shall wee come to Accompt Vincent swore that he would bring over either M^r Hoskeys or M^r Abbington to make a full End and further sayth not Wittnes my hand the day and yeare aboue written

George Taylor

John Lawson Com^r.

Liber
P. C. R.

12th Aug. 1661

Humphrey Attwicks aged forty yeares or thereabouts Sworne and examined vpon his oathe Sayth That aboute foure or five yeares agoe this depon^t being desired to demand a bill of M^{rs} Cager by this depon^{ts} Sister in Lawe Anne Hungerford Widd she the said M^{rs} Cager replyed to this depon^t that there was some Recconing betweene the said Vincent Atchison and her husband And this depon^t further sayth that being . . . with M^{rs} Cager he did looke in a bagg and could not finde itt and this depon^t retourned back to the said . . . that was Thomas Bushells . . . M^{rs} Cager could not finde the bill but the said Vincent demanded of this depon^t whether M^{rs} Cager looked for this Bill in a long bagg or not And this depon^t answered Vincent yea she did but beleiued that she did not knowe the bill, but Vincent replyed a Pox on her for she counted her bills over oftner then she sayd her prayers And further this depon^t sayth that Vincent went away in a Rayge to the howse of M^r Cager and swore he would fetch the bill or fyre the howse and did Retourne and bring the bill And further Sayth not

p. 482

This Deposicōn was taken before me Will^m D Marshall his marke

The p^{lt} Sueth for tenn pounds Sterling according to a Bill produced, which vpon Readeing the Obligacōn was Confest: But the def^t in discharge thereof pleades that the said Vincent vndertooke to pay one thousand weight of tobacco for a Servant bought by William Hungerforde of the def^t for which the def^t had William Hungerfords bill; The p^{lt} Replyes that he has sattisfyed the said bill and that the said bill was deliuered him by the def^t which was alsoe accknowledged by the def^t The Judgement of the Board is that the def^t pay vnto the p^{lt} the said tenn pounds Sterling with Costs of Suite

Public
Accounts

It is ordered that all persons that can demand any thing from the Publique that they bring in their Accompts to morrow before the Courte rises

The Courte Adjournes whilst to morrow morning tenn of the Clock.

Oct. 9
Attorney
General v.
Jenkins

Wednesday the ninth of October Present all

John Jenkins and William Fuller come forth and appeare to answere vnto such thinges as shall be objected ag^t yo^u on the behalfe of the Lord Proprietor or else yo^u will be out-Lawed Being five tymes called they neither of [them] appeared The Judgem^t . . .

Then was called for a Grand Jury for this Co^{rt}. these persons following, (vizt) Liber
P. C. R.
p. 483

Nicholas Young Foreman	Thomas Sympson	} Gent :
Robert Cole	Zachary Wade	
Robert Kingsbury	William Hughes	
Daniell Clocker	William Cole	
Henry Adams	John Vanhack	
Peter Joy	George Maccall	
William Harper	John Wayhope	
James Jolly	George Taylor	
Henry Ellery	William Palmer	

Whoe being Sworne and their Charge given them they withdrew to make Inquisicōn to the Indictm^t of W^m Gyles and Anne Nevell

The p^{lt} demands an Indian of the def^t promist him in Sattisfaccōn of another Indian belonging to the p^{lt} sould by order of the def^t vnto the Queene of Portoback, And the p^{lt} not being able to make any thing appeare a Non Suite was Granted to the def^t. Henry
Moore v.
Josias
Fendall

To the Right honorable the Gouvernor and Councell of the Province of Maryland Ascolar v.
Fendall

The humble peticōn of Dennis Ascolar Humbly Sheweth That yo^r peticon^r came into the Province of Maryland with Captaine Henfeild which Henfeild did sell yo^r peticon^r to Walter Beane for the tearme of seauen yeares which tyme yo^r peticon^r hath honestly serued Wherefore yo^r peticon^r humbly craueth that this honorable Courte will be pleased to take it into their serious Consideracōn that as yo^r peticon^r came in without any Indenture may not be forced to serue any longer then yo^r pet^r came into the Country for And yo^r pet^r shall pray &c.

The p^{lt} sues as in peticōn abouesaid The bought him for seauen an according to a deed here Showne in Courte which deed p^cisely not nameing the Servant, It is ordered that the Servant be brought to the next Provinciaall Courte and that Walter Beane be summoned to the Courte to testefye for how many yeares he bought the p^{lt} of Cap^t Henfeild p. 484

To the honorable the Gouvernor and Councell of Maryland Gerard v.
Belcher

The humble peticōn of Thomas Gerrard Sheweth That Whereas Thomas Belcher is indebted to yo^r pet^r Six hundred and fifty pounds of tobacco and Caske by Bill and likewise two thousand nine hundred thirty Eight pounds of tobacco and Caske as yo^r peticon^r is Attorney of John Lord for which Summes yo^r pet^r humbly craues order against the said Belchers Estate And he shall pray &c.

Liber
P. C. R. Knowe all men by theis p^esents that I John Lord of Nomains in the County of Westmerland in Virginea Merchant doe constitute ordeine and appoynte my well beloved freind Thomas Gerrard of S^t Clements in Maryland Esq^r my true and lawfull Attorney for me and in my name to Recouer all debts due to me in the Province of Maryland and especially from the Estate of Thomas Belcher of Patuxent late deceased Giveing and Granting full power unto my said Attorney to all Intents in Lawe as if I my selfe were p^esent as Wittnes my hand this fourth of September 1660 John Lord
Testes John Ryues Sam: Dobson

This Bill bindeth me Thomas Belcher my heires or Assigns to pay or cause to be payd vnto Thomas Gerrard Gent, his heires or Assigns the full and just Sume of Eight hundred and fifty weight of marchantable tob. in leafe and Caske to be payd at or vpon the last of Novemb^r as Wittnes my hand this third of March 1658

Wittness Tho Hinson Tho. South.

Thomas Belcher

p. 485 This bill bindeth me Thomas Belcher of Patuxent my heires Administrators or Assigns to pay or cause to be payd vnto John Lord of Hartford in New England Merchant his heires Executors or Assigns the full and Just Sume of three thousand and Eighty three pounds of good tobacco and Caske according to Act of Assembly on all demands after the tenth of October in the yeare 1658 as wittness my hand this tenth of June 1658 Tho: Belcher

Testes James Veitch William u Dorrington his marke

Rēcd of this bill Eight hundred forty seauen pounds of tobacco for the Acc^o of M^r Richard Mattox I say by me received

John Lord

The p^{lt} demands as in his peticōn The def^t accknowledges a debt of six hundred and fifty pounds and two thousand two hundred thirty six pounds due to John Lord Judgem^t for the said Sumes, And whereas there was a bill for foure hundred Eighty six pounds of Thomas Thomas deliuered to the said Belcher in case the said bill be not Redeliuered to M^r Thomas Gerrard as Attorney to John Lord that the then def^t is to pay the said foure hundred Eighty six pounds of tobacco.

To the honorable the Gouvernor and Councill.

Re
Johnson's
Estate The humble peticon of Thomas Turner Humbly Sheweth That whereas M^r William Johnson of S^t Wynifrids in the County of S^t Marys dyed intestate without makeing any other then a Condisconall will vpon his departure out of this Province in case of his the said Johnsons miscarrying at Sea, which will yo^r pet^r humbly conceiueth to be seuerall reasons and Infringem^{ts} made in married the Relict of the right of his

Knowe all men by theis p^{es}ents that I William Johnson of the Province of Maryland haue for and in Consideracon of five thousand weight of tobacco which I haue receiued of James Langworth of S^t Wynyfrids in Maryland aboues^d gent And in Consideracōn that the said Langworth hath vndertaken to pay certaine debts left with the said M^r Langworth I the said Johnson for the abouesaid consideracōns Haue bargained and sould and deliuered vnto the abouesaid James Langworth all my whole Estate of land howseing Cattle hoggs and all other Goods and Chattles moueable and im-moueable within the Province of Maryland and Virginea As Witt-nes my hand this Eighteenth day of June 1656

Liber
P. C. R.
p. 486

William Johnson

Signed and deliuered in the p^{es}ence of us Ralph Crouch Hester Mathews

Copia vera Ex p^{re} me Walter Hall Clerk.

Vpon the peticōn of Thomas Turner touching the last will and testam^t of William Johnson dēcd the Courte vpon readeing the will and findeing it a will Condiconally made (that is in case he and his wife should perish at Sea in their Voyage for England) And it appeareing to the Courte that the wife of the said Johnson is now aliue within this Province and the Child alsoe aliue in England in all probabillity the Courte doth adjudge the said will voyd Saueing that Clause where the Estate is given to the Survivor And whereas the said Turner has produced a certaine deed beareing date the Eighteenth day of June 1656 by which the said William Johnson in consideracōn of five thousand pounds of tobacco by him accknowledged to be received from James Langworth And for that the said Langworth had vndertaken to pay certaine debts of the said Johnsons The Courte doth adjudge that the said deed of bargaine and Sale totally to haue recinded the said last will and testam^t beareing date the seauenth of June 1656

To the Right honorable the Gouernor and Councill

That Sampson Cooper deceased is indebted vnto yo^r peticon^r by bill the Sume of twelue hundred pounds of tobacco and a yeares leauy being Sixty one pounds of tobacco which yo^r pet^r payd for the said Cooper Yo^r peticon^r being a poore distressed Widdowe most humbly desires an order of this hono^{bte} Courte ag^t M^r Hugh Lee Administrato^r of the aforesaid Cooper for the tobacco And she shall ever pray &c.

Bedlum v.
Lee Adminr.
to Cooper
p. 487

The p^{lt} demands as in the peticon abouesaid The def^t accknowledges a Judgem^t It is ordered that when the def^t . . . the p^{lt} one thousand two hundred Sixty and one pounds of tobacco she is to deliuer in the Specialty

Liber
P. C. R.
Allanson v.
Brookes

To the Right hono^{ble} the Gouvernor and Councell

The humble peticōn of Thomas Allanson Humbly Sheweth That yo^r peticōner being Overseer to the Right hono^{ble} the Governo^{rs} Servants at the Quarter and comeing one Sattirday in the afternoon to the Greate owse (as yo^r peticon^r was often accustomed) at yo^r peticon^{rs} departure from thence homewards to the Quarter aboute tenn a clock of the night yo^r peticon^r was assaulted by one William Brookes whoe with a greate Cudgell which he had on That purpose provided, in cold blood and in the darke did most inhumanely twice knock downe yo^r pet^r giving him severall Cruell Blowes Yo^r pet^r being unarmed and not able to make any defence other then calling out for Rescue as yo^r pet^r can by sufficient testimonies make appeare

Yo^r peticon^r humbly referring the p^emisses to yo^r hono^{rs} Consideracōn humbly craveth that the said Brookes may be Compelled to make sattisfaccōn to yo^r pet^r And yo^r pet^r shall pray &c.

Penelope Hall aged twenty three yeares or thereabouts Sworne and Examined this 29th of July 1661 Sayth That on or aboute the last day of June betweene nine and tenn of the Clock at night presently after she came from milking she sawe M^r Calvert cutt an ould Lymm of a Cherry tree fitt for his . . . all the twiggs and made it Knotty and as she was . . . lawe M^r William Calvert . . . he Cutt
p. 488 and shewed it M^r Brookes and M^r Brooks had another Stick in his hand and p^esently afterwards the said Calvert layd downe his Stick vnder the Punchins and then they went out together and talkt againe and then M^r Calvert parted from the said Brookes and stood betweene the doore of the howse and the Chimney and the said Brooks tarried there by and by M^r Allanson goeing that way home to the Quarter as soone as he had past M^r Calvert, M^r Calvert followed him and as soone as he had past the said Brookes the said Brookes followed him and knockt him downe and strucke him twice Crosse the Shoulders before the said Allanson could Rise and once more vpon the Arme as he was riseing noe words being changed till the said Allanson cryed out murder The marke of H Penelope Hall

Sworne before me Philip Caluert

Elizabeth Darnall aged twenty three yeares or thereabouts sworne and Examined this 29th of July 1661 Sayth That on or aboute the last day of June Betweene nine and tenn of the Clock at night she sawe William Brookes standing behind the Punchins with a greate Stick in his hand and Thomas Allanson goeing a little while afterwards that way home to the Quarter as he was goeing the said Brooks knockt the said Thomas Allanson downe twice and further sayth not The marke of W Eliz: Darnall

Sworne before me this 29th of July 1661 Philip Caluert

They putt themselues to the tryall of a Jury

Whereupon was Impannelled a Jury as followeth vizt

John Hammond Foreman	Robert Maccklyn	} Gent
Richard Forster	Edward Turner	
Daniell Johnson	Peter Wates	
John Lewger	William Mills	
William Hatton	Robert Hooper	
Patrick Forrest	John Wheeler	

Liber
P. C. R.

Whoe being Sworne went to trye the

And the Jury brought in their Verdict (vizt)

p. 489

Wee finde for the p^t three hundred pounds of tobacco damage
with Costs of Suite

To the honorable Gouvernor and Councell of the Prouince of Mary-
land

Re Bushell's
Estate

The humble peticōn of William Bushell Sheweth That yo^r peticon^r
being the Right heire apparant vnto Thomas Bushell his brother
deceased ought by the lawe to haue a Co^m^{on} of Administracōn
granted vnto him of the personall Estate of his said Brother deceased
and also with such lands as he was seized of at the tyme of his decease

Wherefore yo^r peticon^r humbly craueth that he may haue Ad^{con} of
the said Estate as vnto the Right heire belongeth and that all such
persons as shall in any injust waye contrary both to Lawe and Equity
deteyne and withhould any p^{te} or parcell of the said Estate and yo^r
poore pet^r being able soe to prove by powerfull Evidence Humbly
implores through yo^r Justice by granting a Co^m^{on} that all such either
person or p^{sons} whoe shall or may be called vpon in this case and
refuseth to Surrender may be compelled vpon oathe And yo^r pet^r shall
pray &c.

the p^t as Brother to Thomas Bushell deceased demands the Estate
of inherittance of Thomas Bushell dēcd, And further desires that he
may haue Ad^{con} vpon the said Estate to which the def^t replied not
But desired that it might be referred to the next Courte and th^t in
the meane tyme the dēf^t haue a Coppy of the p^{ts} peticōn

William
Bushell v.
Thomas
Dent

It is ordered that the Sherriffe take into his Custody John dawson
and Thomas Coartney

Attorney
General v.
Dawson &
Courtney
Attorney
General v.
Gylls

Let it be Enquired for the Lord Proprietary whether W^m Gylls
at the howse of M^r Symon Carpenter a certaine man named Nathan-
iell Procter did feloniously kill or murder him sometymes in
May last Government And the aforesaid Jury brought
in their Verdict in theis words (vizt) As to the Indictm^t Ignoramus
But wee finde that the man was killed or Slayne accidentally And as
to Anne Nevells Indictment (Billa vera)

p. 490
Attorney
General v.
Nevell

The Courte adjournes till to morrow morning nine of the Clock

Liber
P. C. R.
Oct. 10
Attorney
General v.
Jenkins
et al.

Thursday October 10th

Present as Yesterday

The Judgem^t against Jenkins and Fuller is Respitted till to morrow morning

Re
Fenwick's
Estate

Then Proclamacon was made that if any person p^etend to haue any Creditt due from the Estate of Cuthbert Fenwicke deceased according to an order of the last Courte and noe person appeareing to make any Clayme Ordered that a Quietus est be Granted to the Administrato^{rs} of the said Jane Fenwicke

Gerrard v.
Cole

The p^t preferred his peticon and vpon readeing the same the def^t desired two houres respitt which was Graunted

Mackane v.
Gerrard
vpon an
appeale
from the
County
Courte

At a Courte held at New Towne for the County of S^t Marys 13th August 1661

Present Coll. William Evans M^r Thomas Turner M^r John Abington M^r Luke Gardner M^r Thomas dent and M^r Richard LLoyd

To the hono^{ble} the Gouvernor and Councell

The humble peticon of Ricckett Mecane Humbly Sheweth That yo^r peticoner being taken by force out of his natiue Country and brought here vnto Maryland and sould vnto M^r Thomas Gerrard And after yo^r peticoner had been a while at the howse of M^r Gerrard The said [Mr] Gerrard compelled yo^r peticon^r serue him fiteene
p. 491 Served M^r Gerrard Six yeares and a halfe and is now one and twenty yeares of age by the aforesaid Indenture hath Eight yeares and a half more to serue which is contrary to the lawes of God and man that a Christian Subject should be made a Slaue

The premisses considered yo^r pet^r most humbly desireth that yo^r honor will be pleased to grant yo^r peticon^r an order for his freedome And he shall pray

Ordered that this peticon be referred to the County Courte and that the Servant haue the liberty to sue his Master And that the Sherriffe of S^t Marys this peticon to the County Courte whoe are to see Justice done in the busines
John Gittings Clk.

Whereas the peticon of the p^t haueing been referred from the Provinciaall Courte to this Courte with an order annexed to see Justice done therein The def^t alleadgeing that when this peticon was preferred at the Provinciaall Courte was at such tyme as he was not there and noe Suite commenced Whereupon the def^t desired an Appeale to the next Provinciaall Courte The Courte after much debate

insisting vpon the words of the order (to see Judgem^t done therein) did conclude that they might with safety grant an Appeale Whereupon It is ordered that the def^t give in security to appeare at the next Provinciaall Courte the Eighth of October next And that he see the p^ht to be there and appeare (he being his Seru^t) and in case he be cast to pay double damages and Costs of Suite

Liber
P. C. R.

Walter Hall C^lk.

The Deposicōn of Judith Loue aged twenty two yeares or thereabouts Sworne the fourth of October 1661 Sayth that she this depon^t was p^esent at M^r Gerrards Quartering howse at Mattapenny when Captaine Hinfeild brought thether certaine Irish Servants to sell vnto M^r Gerrard And this depon^t further sayth that she did see the said Hindfeild threaten the said Servants with his Kayne and say to them that they should serue fifteene yeares and this depon^t Sayth that she when the said Hindfeild was thus threatning of them and saying hang them Rouges they shall serue fifteene yeares there was certaine wrytings a draweing, And further this depon^t sayth not

Judith & Loue her marke

Nicholas Lanstowne aged thirty three yeares or thereabouts being sworne and Examined Sayth That in October anno 1654 M^r Thomas Gerard and Coll Speake bought betweene them of Captaine Robert Henfeild Eight Irish boyes the Eldest of those boyes in my Judgement then was not aboue tenn yeares of age and many of them not neere soe much And further this depon^t sayth not

Sept 11th

Nicholas Lansdowne

Jurat coram nobis John Washington W^m Peirce

August 14th 1661 George Colclough aged thirty seaven yeares or thereabouts Sworne and Examined the day and yeare aboue written Sayth That he was p^esent when Cap^t Robert Henfeild sould vnto Thomas Gerrard Esq^r certaine Irish Servants which said Serv^{ts} were to serue the said Gerrard according to the Custome of Virg^a all which said Servants or the greater parte of them did giue vnder their hands the very same tyme to serue the said Gerrard severally certaine yeares which was then Computed by seual persons p^esent to be according to the Custome of the Country and did subscribe the same voluntarily without force or Constraynte Further this depon^t is Wittnes and was p^esent both at Henfeilds Sale of them to M^r Gerrard and at the Seruants superscription both which was done in one day further this depon^t sayth not

Geo : Colclough

Jurat coram me Sam. Smith

Francis Clap shall be deposed the same with this depon^t when I shall be thereunto lawfully called as Wittnes my hand

Francis Clap.

Liber
P. C. R. The 11th Sep^t 1661 James Salstceme aged thirty one yeares or thereabouts being sworne and examined Sayth That the 28th of October 1654 M^r Thomas Gerrard and Collonell Speake bought betweene them of Captaine Robert Henfeild Eight Irish boyes the foure of them that Coll Speake had were soe little that M^{rs} Speake sayd to this depon^t why had not yo^r Master brought some Cradles to haue Rocked them in The next morning this depon^t was sent by his Master Coll Speake aboard Captaine Henfeilds Ship and M^{rs} Speake sent bread and Cheese by him to giue the other foure that belong[ed to] M^r Gerrard and wished him to tell
p. 493 M^{rs} That whereas Ricckett Mecane hath by peticon Complayned that he was forced to sett his hand to an Indenture It is falce for he was then p^esent and saw the Contrary And further this depon^t Sayth not James Salsteme

Juratur coram John Washington W^m Peirce

The p^{lt} desires as in his peticoⁿ aforesaid, they putt themselues to the tryall of a Jury Whereupon was Impannell'd a Jury as followeth to Judge of his Age, And the Courte to determine how long the to serue.

John Hammond Foreman	Barnaby Jackson	} gent
Major Thomas Brooke	John Elzey	
William Barton	William Hatton	
Patrick Forrest	John Wheeler	
Thomas Bennett	William Heard	
John Lewger	Robert Hooper	

Whoe being sworne withdrew to Consider of the matter then in hand. And the Jury Retourned and brought in their Verdict that the said Richard Maccane is (nineteene yeares ould) The Judgement of the board is that the said Richard Maccane shall serue whilst he comes to the age of twenty and One yeares.

Re Dormer M^r Thomas Gerrard desired the Courte to determine the age of Dearmid Dormer his Seru^t alsoe. And the Co^{rt} Judged him to be fiteene yeares ould.

Attorney
General v.
Nevell Then was called the Petty Jury for the tryall of Anne Nevell

John Hammond	William Hatton	} Gent
William Barton	John Wheeler	
Patrick Forrest	William Heard	
John Lewger	Robert Hooper	
Barnaby Jackson	John Bouge	
John Elzey	Marks Pheypo	

p. 494 Indictment of Anne Nevell Proprietary that Mayd-Servant of hers named Margarett Redfearne did feloniously kill

by giving her certaine Stroakes or Blowes vpon her body against the peace of his said Lōp. his Rule and Gouvernm^t Being asked whether she was Guylty or not Guilty she pleaded not Guylty and putt her selfe vpon the tryall of God and her Country

Then were sworne of the Jury John Hammond Foreman together with the rest, who tarryed to heare the Examinacōns before they withdrew.

Then was Examined Michael Farmer on the behalfe of the Lord Proprietary Sayth That he did see Anne Nevell strike Margaret Redfearne with her hand and her Shoe and comāded her to goe in and strip her selfe naked and went together a Rodd at the Peach trees and afterwards the said Margaret went in a doores and her M^{rs} followed her and Shutt to the doore and he further sweares that he heard the Stroakes and heard her Crye and at the same tyme the said Margaret had a feauor and Ague every other day And further sayth that at the tyme that her M^{rs} commanded her to goe into the howse she sayd she would be revenged on her.

Thomas Cobham Examined on the behalfe of the Lord Prop^r testifyes noething at all of his owne knowledge but that he heard Margaret Redfearne say that she did lay her death to Anne Nevell her Dame.

Susan Barbary Examined on the behalfe of the Lord Proprietary Sayth That her husband bringing over Margaret Redfearne which he bought of John Nevell and goeing to wash her body and shift her being sick the said Margaret Complayned of her left side which was black from her throate to her breast and soe cross her back and this depon^t askt her how she came by that hurte and she answered that she Gott it by her dame Nevells throweing her over a Logg and that her dame Nevell counselld her to drownd herselfe telling her she should not liue two moneths if two moneths not two moneths and a halfe which Enmity of her dames riss from her discouery of a noate sent from one John Hatton to her Dame but what was in that noate this depon^t never heard off And further sweareth that she did lay her death to her dame if she dyed that she did desire to be carryed ouer to M^r Stanleys carryed over and there did lay her death depon^t did shew her before

Andrew Hinderson examined on the behalfe of the Lord Proprietary Sayth That he was there at the carrying over of Margaret Redfearne to M^r Stanley that he heard her Complayne of her throate and that he sawe she was black aboute the throate which Margaret Redfearne Sayd her M^{rs} pincht her and that she did lay her death to her M^{rs} at M^r Stanleys, The Stripes that he saw vpon her thigh he did belieue was a fortnight before which was with a small twigg

Wee whose names are here vnder written being Impannelled vpon a Jury to view and make dilligent search aboute the dead Corps of

Liber
P. C. R.

p. 495

Liber P. C. R. Margaret Redfearne deceased servant to John Nevell supposed to haue rēcd Some cause of her death from her Mistres Anne Nevell that the said Margaret Redfearne hath received wrong by blowes and Pinches as appeareth by and in three seuerall places as on her left breaste and back and on her throte Giuen vnd^r our hands this three and twentyth of August 1661

Nicholas Crauley his marke, O. Samuell Gosie his marke, X. Francis Carpenter George Alderson S his mke, Robert Coburtnapt Richard Morssam Thomas Pagett his marke P. John Greene his marke f. John Bigger his marke f. John Titmas his marke O. Richard Wordsworth O his marke James Godsgrece his marke S G.

Whereas Thomas Pagett hath complayned of John Nevell and his wife Anne Nevell for the misusage of a mayd Servant of theirs which the said Nevell and his wife haue unreasonably beaten abused, and keepe the said Seruant Soe that she cannot come to make her Aggreiuanee knowne. Theis are therefore in the name of the Lord Propriet^r to will and require yo^u Anne Poop and Anne Biger to goe to the howse of the said John Nevell and there to view the body of the mayd Seruant vpon sight hereof whether yo^u can perceiue the said John Nevell and his wife hath giue their Mayd Servant any vnlawfull blowes whereof yo^u are not to fayle as yo^u will answere the Contrary Giuen vnder my hand this 30th day of July 1661

Hugh Stanley

The Confession of Margaret Redfearne

Vpon the twentyth day of August last past or thereabouts Margaret Redfearne Seruant formerly to John Nevell declared vpon her death bed that the bad vsage of her dame Anne Nevell was the Cause of her death through the Blowes and Punchis which she the said Anne Nevell gaue her in case she dyed, this she declared to the very this Confession was made before us

Hugh Stanley Tobias Norton

p. 496 The Examinacōns of the Wittnesses being tooke and read the Jury withdrew and went to trye the Cause

And the Jury brought in their Verdict (not Guylty) And Proclamacōn being made that the Prisoner at the Barr stood vpon her Justificacōn and none appeareing was cleared by Proclamacon

Gerrard v.
Cole
vide 1 J. H.
U. Studies
p. 32

To the hono^{bte} the Gouvernor and Councell of Maryland
The humble peticōn of Thomas Gerrard Esq^r Sheweth That at a Courte Leete and Courte Barron held for the manno^r of St Clements in Maryland held the twenty seauenth of October 1659 Robert Cole was fined for markeing one of the Lords of the Manno^{rs} hoggs two thousand pounds of tobacco and afeered to one thousand pounds

of tobacco Yo^r peticon^r hath applyed himselfe to this honorable Board and humbly desires the said Cole should give such satisfaccōn for his vnlawfull marking and killing such hogg as the Lawe of the Province prouides in such case And yo^r pet^r shall pray &c.

Liber
P. C. R.

After two houres Respitt according to the last order the def^t appeared, and desired, to knowe whether the p^{tt} sues as lord of Manno^r or as Informer, the p^{tt} answered as Lord of a Manno^r. Then was read the peticōn of Thomas Gerrard all which the def^t denyed And after much debate the p^{tt} produced a Lease in which Lease It was found that the def^t had liberty to kill the said Hogg deliuering the one halfe to M^r Gerrard, It is therefore ordered that the def^t pay vnto the p^{tt} halfe a hogg with Costs of Suite being Sherriffes and Clerks fees And M^r Barton is required to vallue a hogg and the one halfe thereof is to be deliuered to the p^{tt}.

The def^t desires a Refference till the next Provinciaall Courte which was Granted

....

Robert
Hooper v.
Wm Greene
et vx
Ellinor
Martine v.
Patience
[Martine]
Thomas
Burdett v.
Hugh
Stanley
p. 497

The p^{tt} demands a Heifer with her Increase for two yeares of the def^t Thomas Trueman gent sworne in open Courte Sayth That the Heifer now in Question Betweene the p^{tt} and def^t was sould this deponent and was promist to be brought to his Plantacōn by the said Burdett before this depon^t went for England and was deteyned by Hugh Stanley when this depon^t demand itt of him when he retourned into this Country againe and the said Stanley denyed her and further sayth not

William Graues sworne in open Courte Sayth That he helpt marke a Heifer and that M^r Stanley forbid his Servants to tell Capt. Trueman that he had any Cattle there, It is therefore ordered that the def^t deliuer unto the p^{tt} a heifer with such Allowance of Increase as he the p^{tt} payd, vnto Thomas Trueman in the like kind with costs and damages

Executio
mde.

To the honorable Philip Caluert Esq^r Gouverno^r &c

The humble peticōn of James Neile Sheweth That yo^r peticon^r in the yeare 1644 departing this Province did then leaue M^r Nathaniell Pope planter (yo^r peticon^{rs} Attorney) certaine Neate Cattle and Servants and fowling Peeces in trust for yo^r peticon^{rs} use And yo^r peticon^r not returning into this Province since that tyme vntill this p^esent yeare and findeing his said Attorney dead without any satisfaccōn or Accompt for the said Cattle Seruants and Guns as afore-said

Neale v.
Pope's
Estate

He humbly craueth order of this Courte to examine such wittnesses as are now liueing to testifye concerning the deliury of the

Liber said Cattle Servants and Guns, And that authentick testimony may
P. C. R. be given him from this Courte of Justice before whome such witt-
nesses are examined or any of them whereby he may be Enabled to
sue for his right either in the Courts of Virg^a or else where that he
findeth the said Pope his Attorney deceased And he shall pray
&c.

p. 498 Vpon the peticōn aforesaid It is ordered that a Com^{on} issue to
examine Wittnesses

Wade v. To the honorable the Gouvernor and Councill of the Province of
Haggett Maryland

The humble pet of Zachary Wade Humbly Sheweth That Where-
as yo^r peticon^r was ordered at a Courte held in Charles County the
second of July last past to deliuer vnto Humphry Haggett a bill of
the said Haggetts due vnto Captaine Richard Banckys And the
said order granted vpon noe other prooffe then a false Suggestion of
the said Haggett Wherefore It is the humble desire of yo^r peticon^r
that yo^r hon^{rs} will be pleased to grant yo^r peticon^r leaue to assigne
the false Suggestion of the said Haggatt as a cause of the Error in
the Judgem^t of the Courte And grant vnto yo^r pet^r an order to arrest
the said Judgem^t and bring the busines to a Reheareing before yo^r
honors And yo^r pet^r shall pray

Vpon the peticōn abouesaid It is ordered that a Scire facias issue
for Humphry Haggett to appeare at the next Provinciaall Courte to
shew cause why the Cause shall not be Reheard againe Ordered that
the Sherriffe take into his custody Tho : Manning

The Courte adjourned by the Governor till Fryday Morning at
nine of the Clock

Oct. 11
Attorney
General v.
Bradnox

Fryday the 11th of October Present as yesterday

Whereas Thomas Bradnox of the Ile of Kent County hath been
accused as alsoe his wife for the death of a Seruant of which as yett
he hath not been legally acquitted nor can be legally brought to
tryall, Theis are therefore to will and require Anthony Griffyn
Sherriffe and Coroner of the said County to cause Enquiry to be
made concerning the death of the said Servant and cause the whole
matter to be certefyed to the Courte of the said County and from
thence to this next Provinciaall Courte to be houlden the five and
twentyth of November whereof the said Courte is not to fayle And
for as much as Sarah Taylor hath been accused of Conspiracy against
her said Master these are further in the name of the Right hono^{bte}
the Lord Proprietary that yo^u take sufficient Security for her appear-
ance at the said Courte there to answeere her said Master as well
vpon the said accon of Conspiracy as for the Remaynder of
Giuen vnder

To the honorable the Gouvernor and Councill

Liber
P. C. R.
p. 499
Re
Stephenson's Estate

The humble peticoⁿ of Henry Ellery Sheweth That yo^r peticon^r being Administrato^r to the Estate of M^r Will^m Stephenson deceased and haueing payd all the debts which were due out of the said Estate, Sett vp a noate at the County Courte Doore that whoesoeuer could clayme anything out of the said Estate should repayre unto him to demand the same as by a Certificatt vnder the Clarks hand appeareth

Yo^r pet^r humbly craues that a Quietus est may be granted to him. And he s[hall pray] &c

I Walter Hall can Justifye that Henry Ellery hath sett vp a noate at the Courte doore at New Towne two Courts last past To give notice that if any person hath any iust debt ag^t the Estate of William Stephenson to bring in by this Provinciaall Courte as Wittnes my hand

Walter Hall.

Vpon the peticoⁿ abouesaid It is ordered that Henry Ellery sett vp a noate at this Courte doore alsoe and if noe body appeare that he haue a Quietus est granted him

To the honorable the Gouvernor and Councill of the Prouince of Maryland

Re
Hammond

The humble peticoⁿ of John Hammond Sheweth That yo^r peticon^r brought a considerable Estate into this Country and had severall Ingagem^{ts} from many of the Inhabitants due to him, but was by command of the then Governor and power acting for the Lord Proprietary imployed in such services as by the dangerousnes of those tymes caused his flight and remoueall leaueing behind him a greate charge and Confused his Estate both which suffred irreparably

Yo^r pet^{rs} wife in hopes of regayning some what towards mayntenance of her oppressed family what with want of experience in tryalls oppressions and Combinaco^{ns} of her aduersaries appearing in Courts seuerall orders haue passed against her to the great Injury of yo^r peticon^{rs} Estate whoe hath been cutt of from her Just dues imprisoned and other wayes dampnified Insoemuch that she was not onely brought to extreame want, but yo^r pet^r wrapt up in strange and vnjust Engagem^{ts} whoe left both a visible Estate Severall good debts behinde him and was not ingaged matterially . . . since by misinformacō haue obteyned . . . peticon^r was enforced to flye . . . giue such direccōs nor could imploy any capable to informe a Right in such tryalls as haue in his absence happned

p. 500

He humbly craueth that by order of this hono^{bte} Courte that he may haue Reheareings of what hath passed in the seuerall Courts of this Province and that Execucōn may be in those cases suspended And he shall pray &c.

Vpon the peticoⁿ abouesaid It is ordered that what Judgements hath not been already executed against him he shall haue a Scire facias

Liber
P. C. R.
Re
Gouldson's
Estate

To the honorable the Gouvernor and Councell

The humble peticōn of Peter Joy Sheweth Whereas yo^r peticon^r as Feoffee to the Estate of Daniell Gouldson of Patuxent late deceased, hath been intrusted to the said Estate by the will of the said Goulson Humbly sues to this honorable Board and requesteth that the said will and testament may be proued according to Lawe as well the direct as the interlined lines and yo^r pet^r as in duty bound shall pray &c.

Vpon the said peticōn It is ordered that the last will and testament of Daniell Gouldson be proued in forme of Lawe.

Lord
Prop^r v.
Thomas
Gerard
Vide 1 Md.
Arch. Ass.
389
Recogni-
zante
entred in
folio 477
p. 501

Whether Thomas Gerrard hath broke his Recognizance or not

Richard Forster aged forty yeares or thereabouts, sworne and Examined this tenth day of August 1661 Sayth That aboute the Eight and twentyth day of July last M^r Thomas Gerrard sent for this depon^t and accordingly this depon^t came and the said . . . that the had made . . . on the Breech and Ile bare yo^u out of it sayd the sayd Gerrard and further sayth not

Jurat coram me Philip Calvert The mke W of Richard Forster Ralpe Haywood sworne and Examined Sayth That he heard the said Gerrard say these words vizt Giue him a Kick on the breech and Ile bare yo^u out but to whome this depon^t knoweth not And further sayth not.

The Judgem^t of the Board

M^r Bateman is of opinion that it is not broken

M ^r LLoyd the same	}	M ^r Clarke tis broken The Gouverno ^r tis broken
M ^r Brooke the same		
The Secretary the same		

To the hono^{ble} the Gouvernor and Councell

Kingsbury
v. Gwyther

The humble peticōn of Robert Kingsbury Sheweth Whereas yo^r pet^r brought a parcell of goods vnto the howse of Captaine Nicholas Guyther and deposited them in his hands to be sould for the vse of yo^r said peticon^r. And yo^r pet^r came to the said howse of Captaine Guyther thinking to haue received either his Goods in kind or else tobacco for them and findeing a parcell of them disposed and can haue noe Accompt of them

Therefore yo^r pet^r desires this hono^{ble} Co^{rt} that he may haue an order granted against the estate of Cap^t Guyther And yo^r pet^r shall pray &c.

Vpon the peticōn abouesaid it is referred whilst next Co^{rt} And that Augustine Herman is then to appeare

To the hono^{ble} the Gouvernor and Councill

Liber
P. C. R.
Babtist v.
Colclough

The humble peticōn of John Babtist Sheweth That whereas yo^r pet^r aboute fīue yeares last past did passe a bill of Eighteene hundred pounds of tobacco and Caske to Symon Oversee yo^r peticon^r not understanding did, and being then a Seruant to the said Symon humbly craues that he may haue his for seauen moneths falce corne & cloaths

Vpon the said peticōn It is ordered that an Attaichm^t be granted on the Estate of Major Colclough whoe marryed the relict of Symon Overzee at the Suite of John Babtist ret next Co^{rt} p. 502

To the hono^{ble} the Gouvernor and Councill

Greene v.
Robinson

The humble peticōn of Elizabeth Greene on the behalfe of the Orphants of Henry Potter dēcd That whereas Fobby Robinson obteyned an order and an Execucōn against the body or estate of yo^r peticon^r The said Fobby illegally went to a neighbours howse where a Seruant of the said Orphants was at worke, and unjustly tooke the Orphants Seru^t away and carryed him without any order or legall proceeding therein vnto Cap^t Guythers howse and there layd execucōn vpon and appraysed the said man Seru^t at an vnder uallue neither were the appraysors sworne according to lawe in such cases provided y^r pet^r haueing before any Suite commenced proffered any Sattisfaccōn to the said Fobby either in good vendible goods being Linnen woollen Shoes, Stockins a peece of silke, Feather bedd or Cattle or tobacco this yeare with Interest all which he utterly refused, yo^r pet^r likewise after the appraysem^t of the said man Seruant, being appraysed at sixteene hundred pounds of tobacco yo^r pet^r proffered him two thousand rather then the Orphants Seru^t should be taken away all which propositiōns he refused

The p^rmisses considered yo^r pet^r humbly craueth yo^r Wō^{pps} to take it into yo^r Consideracōn what illegall and unjust proceedings the said Fobby hath acted ag^t yo^r pet^r and the Orphants And that the Orphants may be repossessed of the aforesaid man Seru^t Soe unjustly taken away with legall reparacōn for the wrongs offered ag^t the Estate of the said Fobby Robinson And yo^r pet^r shall pray

Ordered that an Attaichm^t be granted on the estate of Fobby Robinson to answer unto W^m Greene and his wife in an accōn of the case of fīue thousand pounds of tobacco

Vpon the peticōn of Clement Herbert touching his Releasem^t out of Prison It is ordered that the said Clement Herbert be sett at liberty. Re Harbert

Liber
P. C. R.
Re Belcher Present
p. 503

At an Orphants Co^{rt} held the sixth of August Annoq 1661

Thomas Sprigge Thomas Manning Tho. Brooke Hugh
Stanley Charles Brooke Thomas Leitchworth John Elzey
William Turner

Whereas M^r John Bateman in open Courte hath offred of his free mocōn to keepe the orphant of the said Thomas Belcher till she cometh to the age of Eighteene yeares or is marryed Cleare of all charges as a Child ought to be kept that is to say Att Schoole with decent Cloathes and other Educacōn befitting a Child of her Quallity Prouided the said M^r Bateman may haue to himselfe of the cleared Ground without impeachm^t of waste of the Seate of land formerly belonging to Thomas Belcher of Patuxent till the Vpon which said offer the Courte hath ordered M^r John Bateman to haue the vse of the said cleare plantacōn without impeachm^t of waste for and in Consideracōn aforesaid till the expiracōn of the tyme aforesaid.

true Coppy by me James Thompson Clk

The aboue written order of Courte is confirmed by the Gouverno^r and Councill according to the request of John Bateman Esq^r this Eleauenth of October 1661
Henry Coursey Secr.

Re Lloyd Whereas Edward LLoyd maketh it appeare to this Co^{rt} p draughts and the plotts of land Surueyed for him in Wye Riuer that his long lines running South Easte, he alsoe haueing purchased two Pattents next adjoyning vpon him The long lines of which Pattents running Easte p which occasion he wants much of his due proporcōn of land vpon his mocōn and the Consideracōn thereof the Courte hath thought fitt and ordered that the long lines of the land purchased of William Granger shall run South Easte prouided it p^ejudice noe Suruey made before these p^esents.

Date of Court Session Courte dissolved by the Gouvernor

And appoynted the next Provinciall Co^{rt} to be held at S^t Marys the 25th of November next.

Octobr 12th Thomas Gerrard demands a writt to arrest George Thompson in
p. 504 an accōn of debt to the vallue of 5350th tobacco

Gerard v. Thompson Warr^t mde to the Sherriffe of S^t Marys County to arrest ret 1st day of the next Courte

Wood v. Harwood Edward Wood demands a writt to arrest Phillip Harwood in an accōn of the case

Warr^t mde to the Sherriffe of Calvert County to arrest &c ret ut Supra.

John Hammond demands a writt to arrest James Veich in an accōn of the case
 Warr^t mde to the Sherriffe of Calvert County to arrest &c ret ut supra

Liber
 P. C. R.
 Hammond
 v. Veitch

James Thompson demands a writt to arrest Luke Gardner in an accōn of the case
 Warr^t mde to the Sherriffe of S^t Marys County to arrest ret ut supra

Octobr 14th
 Thompson
 v. Gardner

Valentine Peyton by his Attorney W^m Price demands a writt to arrest William Robinson in an accōn of the case
 Warr^t mde to the Sherriffe of Charles County to arrest, ret ut supra

Peyton v.
 Robinson

James Neale dem^{ds} a Scire facias ag^t James Lindsey
 writt mde to the Sherriffe of S^t Marys County &c.

Neale v.
 Lindsey

John Hammond dem^{ds} a writt to arrest Anne Tilney Ex^x to Richard Hoskeys in an accōn of the case
 Warr^t mde to the Sherriffe of S^t Marys County to arrest ret ut supra

Octobr 15th
 Hammond
 v. Tilney
 Execx.

Daniell Johnson, dem^{ds} a writt to arrest Thomas Turner in an accōn of debt to the vallue of forty pounds Ster.
 Warr^t mde to the Sherriffe of S^t Marys County to arrest ret ut supra

Johnson v.
 Turner

This day came Walter Waterline in the County of S^t Marys and desired this following deed to be recorded vizt This Indenture made the Eight day of June in the yeare of our lord 1654 Betweene Thomas Cornewallis of the Cross in the Province of Maryland Esq^r of the one parte [and] Walter Waterline of the Wittneseth and Caske to be payd vnto the said Thomas Cornewallis his heires or Assigns at or before the twentyth of November next ensueing the date hereof Hath bargained sould Assigned and sett over, And by theis p^sents doth bargaine sell assigne and sett ouer unto the said Walter Waterline his heires Executo^{rs} Administrators and Assigns for euer All that Neck of land being a parte of the long Neck within the Manno^r of Cornewallis Crosse, lying Betweene a Neck of land called Negroes neast And another neck of land called the Bottome of the long Neck bounded by marked trees vpon the Branches of each neck with an out lett into the woods northerly To haue and to hould the said parcell of land to the said Walter Waterline his heires and assigns for ever Yeilding and paying yearely vnto

October
 16th
 Re
 Waterline

p. 504

Liber the said Thomas Cornewallis his heires or Assigns at the Feaste of
P. C. R. the nativity of our Sauour one Barrell of Good Indian Corne con-
tayning fve Bushells And three good fatt hens or Capons at the
Manno^r howse called the Crosse And if the said yearely rent shall
happen to be behinde or unpayd in parte or in all aboute twenty dayes
after the said Feaste of the nativity that then it shall and may be
lawfull to and for the said Thomas Cornewallis his heires or assigns
to distrayne upon any goods Chattle or Cattle found or being upon
the said land or againe to Reenter and possesse him or themselues
of the said Neck of land if the same neuer had been sould with all
howses buildings Edifices and inclosures thereupon Erected or
Builte Any thing containd in these Indentures to the contrary not-
withstanding In Wittness whereof the p^tyes within specified haue
interchangeably Sett their hands and Seales the day and yeare aboute
written Tho: Cornewallis

Sealed and deliuered in the p^esence of The mke of HH John
Nicholls Rob^t Guest

Bateman v. John Bateman demands a writt to arrest William Lawrence in an
Lawrence accōn of debt to the vallue of 1900th tob.

Warr^t mde to the Sherriffe of S^t Marys County to arrest &c

— v. — demands a writt to arrest Thomas the case
. . . . of S^t Marys County to arrest

p. 505 Elizabeth Greene dem^{ds} a warr^t to arrest Fobby Roberts in an
Greene v. accōn of the case to the vallue of 5000th tobacco on the behalfe of the
Roberts Orphants of Henry Potter

Warr^t mde to the Sherriffe of S^t Marys County to arrest &c ret
next Pro^{all} Co^{rt}

Vnder which warr^t was writt, But in case yo^u cannot finde the
person of the said Fobby Roberts within this Province

Attaichm^t issued alsoe to the Sherriffe of S^t Marys County to
Attache any of the goods Chattles or debts belonging vnto the said
Fobby Roberts to the vallue abouesaid in case the said Fobby be not
found within this Province

October Cæcilius &c To the Sherriffe of S^t Marys County Greeting wee
25th command yo^u that by the oathes of twelue good and lawfull men of
Stone v. yo^r County yo^u cause to be extended and apprayed the Manno^r of
Pheypo Westbury Which William Stone Esq^r at our Provinciall Co^{rt} held
[vide 10 Md. the 4th day of March 1653 at S^t Marys recouered against Marke
Arch. Prov. Pheypo the Attorney of John Hansford Administrator of Thomas
Ct. 345] Weston deceased in sattisfaccōn of a debt of twenty one thousand
six hund^d pounds of tobacco and Caske, And the Extent and ap-
praysem^t which yo^u shall thereon make cause to be signified at our
Provinciall Co^{rt} to be houlden at S^t Marys 25th November next,
under thy Seale and the Seales of them by whose oathes the said

Inquisicōn thou shalt make an haue thou there this writt Giuen at S^t Liber
 Marys this 24th of October 1661 Wittness our deare Brother Philip P. C. R.
 Calvert Esq^r our Leiutennant of our said Province of Maryland

This day came Thomas Mathews and desired the following Bill of Sale to be recorded (vizt) Octobr 28th
Re Mathews

This Indenture made the sixth day of Aprill in the yeare of our Lord God 1661 Betweene Nicholas Guyther high Sherriffe of the County of S^t Marys in the Province of Maryland Gent of the one party and Thomas Mathews of S^t Marys in the same County and Province aforesaid Gent, of the other party Wittneseth That whereas the said Nicholas Gwyther for and in Consideracōn five thousand pounds said Thomas Mathews whereof and where-
 with the said Nicholas Guyther doth accknowledge himselfe to be fully sattisfied and Contented and payd thereof and of every parte and parcell thereof doth clearely acquitt and discharge the said Thomas Mathews his heires Executors and Administrators and Assigns by theis p^esents hath demised Granted Alyened bargained sould and Confirmed and by theis p^esents doth demise Grant alyen bargainne sell and Confirme to him the said Thomas Mathews his heires Executors Administrators and Assigns for ever all that parcell of land is now sittuated on the South side of S^t Ellens Creeke and goeing by the name of Mathews hope and beginning at a Marked Pine standing on the Bay side and Running North west for bredth up the Baye the full and Compleate length of two hundred perches and Bounding on the North with a line drawne South west and by West into the woods the length of five hundred Perches on the west with a line drawne South Easte and by Easte from the End of the former line untill it Intersect a Paralell line drawne from the marked Pine at the Bay side on the South with the said Parelell on the Easte with the said Baye Contayning foure hundred acres more or less To haue and to hould All that parcell of land Contayning compleately foure hundred acres of land according to the vsuall Survey of the Country Granted at that tyme in the yeare 1652 together with all and singuler the benefitts proffits Commodities Fishing Fowleings Huntings and Emolluments whatsoever in as full and ample manner as any parcell of land is usually taken vp from under his Lōp the Proprieto^r of this Province and further he the said Nicholas Gwyther doth Coven^t promise and Grant for himselfe his heires Executo^{rs} and Administrato^{rs} firmly by theis p^esents to and with the said Thomas Mathews his heires Executo^{rs} Administrato^{rs} and Assigns to and make good all and singuler the p^emisses Sale and to defend saue and of person or persons whatsoever that shall by any lawfull or just Tytle deuce or deuices in the lawe to Clayme
 molest or disturbe him the said Thomas Mathews or his heires or Assigns from the free Exercise and use thereof according to the true Intent and meaneing of this Indenture for ever, Yeilding and

p. 506

p. 507

Liber
P. C. R. paying yearely at the nativity of our Lord or within twenty dayes after a Rent of one bushell of Indean Corne for euery hundred acres (that is to say) foure Bushells of Indean Corne for the foure hundred acres to be due and truly payd yearely vnto the said Nicholas Gwyther his heires or Assigns for ever And further he the said Gwyther doth declare that whereas he is lawfully pōssd of this Estate that did formerly belong unto One William Hawly gent. deceased as by a lawfull order of the Provinciaall Co^{rt} of this Province beareing date the 24th of March 1652 may and doth more at large appeare haue sould this parcell of land to provide a sufficiency where with all to make payment of what Rerige rents are behind that the whole may not fall nor be forfeited for the non Payment of the rent to the Lord Proprieto^r and therefore he the said Nicholas Gwyther doth binde himselfe and his heires vnto the said Thomas Mathews and his heires and Assigns to make the said Sale good against all just Claymes in the lawe whatsoever In Wittness whereof the partyes aboue mencōned haue Interchangeably sett their hands and Seales the day and yeare aboue written Nicholas Gwyther

Signed Sealed and deliuered in the p^esence of us sitting in the lower howse of Assembly William Euans Luke Gardner W^m Bretton Clk:

The abouesaid Bill of Sale was acknowledged by Nicholas Gwyther in open Co^{rt}

p. 508
Fendall v. Taylor Cap^t Josias Fendall dem^{ds} a writt to arrest Thomas Taylor in an accōn of detinue

Warr^t mde to the Sherriffe of Calvert County to arrest ret, next Co^{rt}

Fendall v. Waring Idem demands Subpa to Sumons Robert Holte John Nicholls the Case

Warr^t mde to the Sherriffe of Calvert County to arrest &c ret ut supra.

13th
Novembr
Hammond
v. Tilney John Abbington Attorney to M^{rs} Anne Tilney demands Sumons for Bridgett the wife of Robert Shell Thomas Turner and Walter Pake to testefye in causa John Hammond plt and [Mrs.] Tilney dēf^t Subpa mde to the Sherriffe of S^t Marys County ret 1st day of the next Co^{rt}

Idem demands a writt to arrest Samson Waring in an accōn of Mary Warner William Cole Humphry Howell and William Lucas to testefye &c. Subpa mde to the Sherriffe of S^t Marys County ret ut supra

14th
November
Re Willan Cæcilius &c To the Sherriffe of S^t Marys County &c Comand Richard Willan and Elizabeth his wife that justly &c. they hould

Covenante to Nicholas Holmes and John Marke of five hundred
acres of land lying in Wye Riuer called Thirmby Grange &c

Liber
P. C. R.

And the finall Concord is that the said Richard Willan and Elizabeth his wife haue accknowledged that the said five hund^d acres in Wye Riuer aforesaid with the Appurtenances are the Rights of Nicholas Holmes and John Marke as that w^{ch} the said Nicholas Holmes and John Marke hath of the guifte of the said Richard Willan and Elizabeth his wife And the s^d Richard Willan and Elizabeth his wife haue remised and quitt Claymed from them the said Richard and Elizabeth and the heires of the said Richard the said five hundred acres to the said Nicholas Holmes and John Marke and their heires foreuer And further the said Richard and Elizabeth haue Granted for themselues and the heires of the said Richard that they will warrant the said land to the said Nicholas Holmes and John Marke and their heires against them the said Richard and Elizabeth and the heires of the said Richard for ever, And for this Recognizon Remission Quitt Clayme Warrant Fine and Concord the said Nicholas Holmes and John Marke hath giuen to the said Richard and the Sume of five thousand pounds of

John Babtist demands Subpa to sumons Daniel Gourden and Archball Wayhope to testefye in a cause Betweene the said Babtist p^t and Major George Colclough who married the Relict of Symon Overzee def^t.

p. 509
Babtist v.
Colclough

Subpa mde to the Sherriffe of Charles County &c.

Samuell Brockett demands a writt to arrest Sarah Marsh in an accōn of the case

Brockett v.
Marsh

Warr^t mde to the Sherriffe of Ann Arrundell County to arrest &c ret ut Supra

John Abbington Attorney to M^{rs} Anne Tilney demands Sumons for John Shertcliffe to testefye in causa John Hammond p^t and Anne Tilney def^t.

Hammond
v. Tilney

Sumons mde to the Sherr. of S^t Marys County &c.

dennis Ascolar demands a writt to arrest Cap^t Josias Fendall in an accōn of the case

20th
Novembr
1661

Warr^t mde to the Sherriffe of S^t Marys County to arrest &c ret. ut supra.

Ascolar v.
Fendall

Idem dem^{ds} a Subpa to sumons Walter Beane to testefye &c Subpa mde to the Sherriffe of Charles County &c.

Robert Hooper demands Subpa to sumons Nicholas Rawlins and John Bisco, to testefye in a cause betweene the said Hooper and W^m Greene.

Hooper v.
Greene

Subpa mde to the Sherriffe of S^t Marys County &c.

Liber
P. C. R.
November
26th
Re
Carpenter

This day came Symon Carpenter and desired this following Assignment to be recorded (vizt)

Be it knowne vnto all men by theis p^esents that I George Hack Phisitian for me my heires Executors Administ^{rs} haue bargained and sould as I by theis p^esents doe bargaine and sell vnto Abraham Morgan his heires and Assigns one Tract of land contayning foure hundred acres called Anne Cattrins Weeke lying and . . . Maryland in . . . other side vpon the Baye and Easte riuer as the Pattent more and at large doth specifye To haue and to hould the aboue menconed tract of land for him his heires and Assigns for euer And doe alsoe by theis promise to deliuer unto the said Abraham Morgan the Pattent of this specified land at the tyme as the said Abraham Morgan has made full sattisfaccōn of this specified land unto the aboue menconed Hack or his Assigns To the true performance of the same [we] haue this Subscribeth with our owne hand and Seale this Eighteenth day of Septemb^r 1660 [George] Hack

Testis John Elzey Seuerin Hack

Vpon which Assignm^t was endorsed on the back side of it this following Assignm^t vizt

I Abraham Morgan doe by vertue of the within mencōned to me hereby Assigne all my right tytle and Interest to the within plantacōn to M^r Symon Carpender and on performance of his condicōn of this date to me am hereby Engaged in the Sume and Quantity of tenn thousand pounds of tobacco and Caske to make Good to him the Sale of the said plantacōn within this p^esent yeare and to secure him from all further Claymes and demands of any p^{erson} or p^{ersons} whatsoever as Wittnes my hand this 8th day of February 1660

The mke XO of Abraham Morgan

Wittness Fra. Wright John Elzey.

Nov. 25 At a Provinciaall Co^{rt} held at S^t Marys on Monday the 25th of
p. 601 November 1661

Present Philip Calvert Esq^r Gouvernor Baker Brooke and Robert Clarke Esq^{rs} Councello^{rs}.

Attorney
General v.
Jenkins
et al.

John Jenkins and William Fuller being fwe tymes called to answere vnto such thinges as shall be objected against them on the behalfe of the Lord Prop^r did not appeare.

Thomas
Gerard v.
George
Thompson

The def^t being twice called and not appeareing the cause was respitted whilst to morrow morning

The Co^{rt} is ajourned till nine of the Clock to morrow morning peremptorily.

CHARLES CALVERT: GOVERNOR

Tewsday the 26th of November

Present Philip Calvert Esq^r Robert Clarke Baker Brooke and
John Bateman Esq^{rs} Councillors

Liber
P. C. R.
1661
Nov. 26

Then came the Right Honorable Charles Calvert Esq^r and tendred his Co^m^{on} for Leiuetennant Generall vnder the Right Hono^{ble} the Lord Prop^r which being read the oathe was administred to him.

Charles
Calvert
takes oath
as Governor

Then came Henry Sewall Esq^r and tendred his Co^m^{on} and tooke the oathe of a Councillor and Principall Secret^{ry} of State

Henry
Sewall takes
oath as
Chancellor

Whereas there was a Co^{rt} called by the Hono^{ble} Philip Calvert Esq^r the 25th of this Instant, which Co^{rt} is not as yett determined and many causes to that Co^{rt} and other the County Co^r^{ts} are yett depending which if not determined may proue Injurious to the Inhabitants of this Province These are therefore to publish and declare that I doe continue that Co^{rt} and all process to that or other County Courts and all Co^m^{ons} to any Officers both Military and Civill Giuen vnder my hand this 26th of November 1661

Postpone-
ment of
Court

To the Right hono^{ble} the Gouvernor and Councill of the Prouince of Maryland

p. 602
Gerard v.
Thompson

The humble peticoⁿ of Thomas Gerrard Esq^r Sheweth That M^r George Thompson stands indebted to Thomas Gerrard Esq^r in the Sume of fwe thousand three hundred and fifty pounds of tobacco which is due p bill

Yo^r pet^r humbly implores this hono^{ble} Co^{rt} that he may haue an order granted by yo^r Hono^{rs} against the said George Thompson for the speedy payment of the said And he shall pray &c.

The def^t upon readeing the p^{ts} peticoⁿ Confesseth a Judgement for the said fwe thousand three hundred and fifty pounds of tobacco

The p^{lt} not being p^rsent It is ordered that unless the p^{lt} doe appeare before the riseing of the Co^{rt} this day A non Suite be granted to the def^t p^{lt} not appeared.

Edward
Wood v.
Philip
Hardwood

The def^t not appeareing the Cause is remitted whilst the Co^{rt} rises and then if he doth not appeare It is ordered that Judgement shall pass in defaulte def^t not appeared.

John Ham-
mond p^{lt}
James Ueich
deft

To the honoble the Gouvernor and Councill of Maryland

[The humble petition] of James Thompson

Whereas Anne Thompson the Sister of yo^r petitioner by reason of the late troubles in England hath been bound by Indenture to

James
Thompson
v. Luke
Gardner
p. 603

Liber
P. C. R. M^r John Floyd for the tearme of six yeares and to none other neither heires nor Assignes as by her said Indent^r may be uerefyed And now the said Floyd (contrary to the true meaneing and Intent both of the said Indenture And alsoe an Agreement passed betweene him the said Floyd and yo^r peticon^{rs} father in England now inhabiting) haueing soone after disposed of the said Anne Thompson vnto one M^r Gardner resident in this Province, And now the said Floyd aboute some halfe of a yeare after deceaseing vpon and by whose decease the said Anne Thompson according to the tenor of her said Indenture was discharged from her Obligacōn, but now since she hath serued a rough and bitter Seruitude for the space of three yeares ouer and aboue her Tye And being demanded her freedome by her Brother yo^r petitioner the said Gardner refused and denied the same These p^rmisses duely and seriously Considered Yo^r pet^r in the behalfe of the said Anne Thompson humbly addresses himselfe to this Hono^{ble} Board craueing and Submissiuely beseecheing yo^r honors that now at least the said Gardner may be Compelled to deliuer in the said Anne Thompsons Obligacōn together with the Custome of the Country and she haue her freedome Granted to her the same being soe long due And yo^r pet^r farther sues requests and petitioneth for such sattisfaccōn as this hono^{ble} Board shall adjudge requisite for the tyme of her Service Since yo^r pet^{rs} demand in her behalfe which was vpon the 21th of July last past But howeuer yo^r pet^r humbly Craues (in case this may not be granted) that the said Anne Thompson may not be forced to serue six yeares but according to the Custome of this Province which is foure yeares And yo^r pet^r shall pray

That whereas the p^{lt} peti[ti]oned for one Anne Thompson that is now liueing wth the def^t for her

p. 604
Richard
Browne v.
William
Robinson
John Ham-
mond v.
Anne Tilney
Executrix
vnto
Richard
Hoskeys
deceased

This Cause is referred to the County Co^{rt} there to be determined.

The p^{lt} sues for fīue thousand fīue hundred pounds of tobacco the price of his plantacōn in Bretton's bay sould to Richard Hoskeys deceased, The def^t pleades that Richard Hoskeys had payd & Secured the sattisfaccōn to Anne Hammond the wife and Attorney of the p^{lt} as by the Originall Bill of Sale and the Record of the same appeared that vpon sattisfaccōn made the Bill for the Tobacco was deliuered to the said Hoskeys & is not now Extant And the p^{lt} being not able to produce any Specialty under the said Hotchkeys hand and the Originall bill of Sale accknowledgeing sattisfaccōn made non Suite is granted to the def^t with Costs of Suite

These p^rsents Wittnes that I Anne Tilney doe appoynt my freind Thomas Manning to be my Attorney to answere in my behalfe the Suite of John Hammond this Co^{rt} Wittnes my hand this 26th November 1661

Anne Tilney

Wittnes Tho: Trueman

Knowe all men by theis p^rsents that I Richard Hassell Cittizen and Salter of London doe by theis p^rsents make constitute and authorize my loueing freind Daniell Johnson of Maryland Planter in Charles county Attorney for me and in my name and to recouer and receiue of and against parts beyond the Seas Widdowe and James Langworth of Maryland Planter in the parts beyond the Seas he or his heires Executors and Administrato^{rs} or her heires Executors and Administrators or any of them all and singuler Sume and Sumes of money debts and other duties whatsoever to me from him or her due oweing and belonging by Bill bond Specialty booke accompt or otherwise howsoeu^r Giueing and by theis p^rsents Granting vnto my said Attorney full power and lawfull authority in the p^rmisses to sue attache Seize sequester arrest imprison and condempne and forth of prison againe to deliuer Attorneys one or more under him to appoynte and the same againe to reuoake and upon the Receipts in this behalfe Acquittances or other lawfull discharges in my name to make Seale and deliuer and generally to doe all other thinges requisite in or aboute the p^rmisses as effectually as I my selfe might or could doe being personally p^rsent And I will Rattifye confirme & allowe all and whatsoever my said Attorney shall lawfully doe or cause to be done in or aboute the p^rmisses by force of theis p^rsents In Wittness whereof I haue hereunto sett my hand and Seale the last day of July in the yeare of our Lord God 1661 And in the thirtyth yeare of the Raigne of our Soueraigne Lord King Charles the second &c
Richard Hassell

Liber
P. C. R.
Daniel
Johnson v.
Thomas
Turner
p. 605

Sealed and deliuered in the p^rsence of us Francis Killborne Hugh Newman John Browne

The p^{lt} not stateing his busines legally the cause is respitted till next Co^{rt}

To the hono^{ble} Gouvernor and the rest of the Councell

The humble peticoⁿ of George Thompson Sheweth That whereas yo^r pet^r bought certaine Rights of land of M^r Thomas Gerrard which Rights hath not appeared to be the said Gerrards but one M^r Marmaduke Snowe & therefore yo^r pet^r hath both been debarred of a warrant to take up land and alsoe hath but little security for land already taken vp by yo^r peticoⁿ and for the want of the good use of the said Rights yo^r pet^r hath been much dampnified and humbly craueth that at least pet^r may be compelled to pay the order of Co^{rt} but according to yo^r pet^{rs} former bargaine with M^r Gerrard

p. 606
Thompson
v. Gerrard

The p^rmisses being taken into yo^r hono^{ble} serious Consideracoⁿ yo^r pet^r most humbly craueth Releife with, cost and charge of Suite and yo^r pet^r as in duty bound shall ever pray &c.

The p^{lt} sueth as in peticoⁿ aboue written Ordered that the def^t shall make Good such Rights as he hath solde the p^{lt} and the def^t

Liber to pay soe much tobacco proporconably for the land he hath in his
P. C. R. possōn

The Co^{rt} is ajourned till nine of the Clock to morrow morning

Nov. 27

Wednesday the 27th of November

Present Charles Caluert Esq^r Gouvernor Philip Caluert Esq^r deputy
Leiutenn^t and Chancellor Henry Sewall Esq^r Secretary Robert
Clarke Baker Brooke and John Bateman Esq^{rs} Councill^{rs}

William The Attachm^t ag^t the def^t is to be in force and continue till next
Greene v. Co^{rt} and [if] the def^t doe not appeare It . . . shall pass in . . .
[Fobby]
Roberts

p. 607 the p^{lt} sueth for 3800th tobacco Assigned to him by Coll Utye the
Capt Josias Assigne of Richard Bennett Esq^r being tobacco due to the said Ben-
Fendall v. nett by Acte of Assembly And the def^t Confessing that he did prom-
Samson ise payment of the said tobacco It is ordered that the def^t pay the
Waring said tobacco to the said Fendall.

Brockett v.
Mash

To the hono^{ble} the Gouvernor and Councill of Maryland

The humble peticōn of Samuelt Brockett Sheweth That yo^r pet^r
sued and impleaded M^{rs} Sarah Mash at a Co^{rt} held at Saint Marys
the last of February for a parcell of land in Kent County for which
yo^r pet^r hath a Pattent the said M^{rs} Mash then appeared by her
Attorney M^r Richard Smith who claymed a Refference vpon p^tence
that he could proue the said land to be forfeited for rebellion Yo^r
pet^r humbly craueth that the said M^{rs} Sarah Mash may make appeare
that the land is forfeited by such Rebellion or yo^r pet^r haue order
to be quietly possest of the said land and he shall pray &c

Ordered that this cause be Referred to the view of the Records

Robert
Kingsbury
v. Richard
Collett
p. 608

The p^{lt} sues for certaine Goods deteyned as he alleageth by
Augustine Herman and being not able to make any thing appeare
Non Suite is granted to the def^t

Dennis
Ascolar v.
Josias
Fendall

The p^{lt} sueth for his Freedome he comeing into the Country with-
out an Indenture and haueing served the def^t seauen yeares Where-
upon a Jury was impannelled to Judge of the p^{te} age And the Co^{rt}
to determine how long he is to serue.

The Jury Impannelled for Ascolar are William Heard Archbald
Wayhope Daniell Johnson Humphrey Haggett, George Thompson,
Francis Wyne, Henry Peere Zachary Wade Thomas Allanson
George Macckall Walter ——— William Kennedey

Then were sworne of the Jury Humphry Haggett Foreman to-
gether with the rest aboue mencōnd

Verdict of the Jury

The Jury findes that Ascolar is twenty yeares of age The Judgement of the board is that he serue the def^t one yeare longer and then to be free.

Liber
P. C. R.

At a Co^{rt} held in Charles County 2^d July Anno 1661

Present M^r Henry Adams } M^r Thomas Stone
M^r Francis Pope } M^r Thomas Baker

M^r
Humphry
Haggett v.
Zachary
Wade

The p^{lt} arresting the def^t in an accōn of the case preferreth his peticōn as followeth

To the Worshipfull Com^{rs} of Charles County

The humble peticōn of Humphry Haggett Sheweth That Whereas yo^r pet^r deliuered a Bill of one thousand pounds of tobacco last September unto Zachary Wade and the said Wade promised at the same tyme to deliuer an Indenture of one Robert James w^{ch} for a Runaway Banckes and the this Servant & hath euer since broake his Articles

Yo^r pet^r therefore humbly craueth this Worshipfull Bench to Compell the said Wade to deliuer yo^r petition^r in his Bill with Costs and Charge of Suite And yo^r pet^r shall pray &c.

p. 609

The def^t alleadgeing imediately hereupon that the said Haggatt had Couenanted with the said James as a Freeman for fifteene moneths Seruice or thereabouts and withall desired that the said Condicōn should be produced and that the p^{lt} might be Compelled to proue his peticōn

The p^{lt} hereupon produceth the Condicōn which is as followeth These p^sents Wittneseth that I Robert James doe Couenant to serue Humphry Haggett till the 25th of december in the yeare of our Lord 1661 in such Seruice and Employment as the said Haggett or his Assigns shall employ him in during the said tyme And in Consideracōn whereof I the said James haue gott the said Haggett to Compound with Captaine Banckes for one thousand pounds of tobacco a difference which was betwixt M^r Richard Banckes for and likewise I the said Haggett doe Engage to giue the said James two Shirts one paire of Canvas drawers and a paire of shoes to these Articles I the said James doe Engage to performe the Seruice above specified as Wittnes my hand this fourth of September 1660

Wittness Thomas Wentworth Zachary Wade Robert James

And according to the def^{ts} request the p^{lt} desireth that his subpened witnesses may haue their Oathes given them for the Confirmacōn of his peticōn which is Granted

Thomas Shelton of Charles County in the Province of Maryland Taylor aged 28 yeares or thereabouts sworne and Examined in open Co^{rt} Sayth

Liber
P. C. R. That M^r Haggett deliuered unto M^r Wade a bill of one thousand pounds of tobacco and that the said Wade was to deliuer in a Con-
dicōn of one Robert James from M^r Bancks which the said Wade
had a way And that the due

p. 700 Thomas Wentworth of the said County and Province Gent sworne
and Examined in open Co^{rt} sayth that M^r Haggett deliuered unto M^r
Wade a bill of one thousand pounds of tobacco and that M^r Wade
did promise to bring up a Condicōn and to beare the said Haggett
harmes from his father in lawe M^r Bancks as soone as he retourned
up againe And that in their discourse Robert James alleadged that
he was unwilling to goe downe to M^r Bancks because he the said
James had dealt soe teously by him And that he had Run away
and taken Cloathes away from the said Cap^t Bancks and soe upon
that Accompt desired M^r Haggett to pass his to M^r Bancks for
one thousand pounds of tobacco and further sayth not

The def^t alleadgeth that he the said James was indebted unto his
father in Lawe Cap^t Bancks to the vallue of Eight hundred pounds
of tobacco which the said James had receiued in parte of payment
for his wages from the said Captaine Bancks in Cloathes and other
things to the said vallue and further alleageeth that he apprehended
the said James as his father in Lawes Seruant and not as a Felon.

The p^{lt} desireth the Board to take notice that the def^t Confessed
to haue apprehended the said James as his father in Lawe his
Seruant and Consequently had noe power to all the said Seruant
without an Assignment of the said Seruant Condicōn from his father
in Lawe unto him or power by way of a letter of Attorney to all the
said Seruant or to Acte in all things in his absence as if he were
personally p^rsent All which power y^r Orato^r dares boldly say the said
M^r Wade was destitute of and therefore the said Seruant could not
be yo^r orato^{rs} by reason the said Bancks if soe it had pleased him
might haue made him over unto any man and noe man had power to
twart the same and after the said Wade retourned from S^t Marys
ward he did not according to his promise deliuer unto yo^r Orato^r the
said seruants Condicōn and when he the said James, run away, (if
in case yo^r Orato^r had used his utmost endeauor for the of the
said Seruant he was disinabled and had noe power and therefore
p. 701 could and crye as other Wherefore it is ordered that the said
Haggett should haue in his Bill and that M^r Wade pay the Cost and
Charge of Suite

Geo Thompson C^{tk}.

The def^t appealeth to the Provincia^{ll} Co^{rt}

Vide pet.
fo: 498 The p^{lt} Assigns Error in Judgement that the said Humphrey Hag-
gett did sue the p^{lt} for the deliury of a Bill, which bill was made for
the payment of the tobacco vnto Richard Bancks of Popler Hill and
not to the p^{lt}, Reheareing is assignd the first day of the next Co^{rt}

William
Bushell v.
Thomas
Dent

this Cause is respitted whilst next Co^{rt}

The Jury retourns their Verdict that haueing Sworne and Examined the Wittnesses doe finde the force to be of truth. Ordered that a writt issue out to the Sherriffe of S^t Marys to Sumons Ellinor Martine George Wilson and Thomas Ward to appeare at the next Provinciall Co^{rt} to answeere the force.

Liber
P. C. R.
Patience
Martine v.
Ellinor
Martine
Vide pet. &
order fo:
461

To the Right hono^{bte} the Gouvernor and Councell of the Prouince of Maryland

John Babtist
v. Major
George
Colclough

The humble peticōn of John Babtista Sheweth That whereas yo^r pet^r hath been dayly troubled by the Attorneys of M^r Symon Overzee deceased as he is not prayes that they may be forced to some issue that at length he may haue some Redress And he shall pray &c

p. 702

Thomas Prichard aged forty yeares or thereabouts sworne the 17th day of June 1661 Sayth That when this depon^t was M^r Ouerzees Ouerseer at Portoback M^r Ouerzee brought one John Babtist vp to him in or aboute the moneth of May 1651 And tould this depon^t he could not tell what to doe with him askeing him this depon^t whether he would take him in for a Share and he replyed noe, his Crop was pitcht And the said M^r Ouerzee sayd that John Babtist was his Seruant for two yeares or to pay him two thousand pounds of tobacco for his Freedome whereupon this dep^t allowed the said M^r Ouerzee halfe a Share of tobacco for that ensueing yeare and that M^r Ouerzee left him with this depon^t at all Co^mands as Seruant and further Sayth not

T P

Jur. coram Philip Calvert.

The marke of Thomas
Prichard

At a Quarter Co^{rt} held at James Citty the 10th of March 1653

Present Richard Bennet Esq^r Gouvernor Coll W^m Clayborne Coll W^m Bernard Coll Thomas Pettus Coll George Ludlowe Esq^{rs}

Whereas John Babtista a moore of Barbary hath pet. for his freedome and hath made it appeare by sufficient prooffe that M^r Ouerzee that brought him in did not sell him for his life tyme and haueing already serued Major Thomas Lumbert fve yeares The Co^{rt} doth order that he shall yett serue two yeares more and then be free or otherwise produce two thousand pounds of tobacco and Caske to be forthwith payd at the Buck riuer at Kequotan or Newport News

Ro. Hubberd Clk

. . . . Lambert full sattisfaccōn for the use of John

This bill bindeth me John Babtista my heires Ex^{rs} or Adm^{rs} to pay or cause to be payd vnto Symon Ouerzee or his Assigns the Sume of Eighteene hund^d pounds of tobacco and Caske this tobacco to be

p. 703

Liber payd at Portoback Creeke in the Province of Maryland as Wittnes
 P. C. R. my hand this 5th March 1655 The mke of John Babtista

Wittness Jobe Chandler The mke A of Alexander Symphon

The Deposicōn of William Capps aged 42 yeares or thereabouts
Sayth That being at worke at M^r Ouerzees howse heard the said
M^r Ouerzee say that John Babtist was his seru^t for two yeares and
further Sayth not
W^m Capps

Sworne before me Tho Keiling

William dyer swears the same with W^m Capps sworne before
Tho Keiling

Daniell Gourdon sworne in open Co^rt Sayth that John Babtista was brought to Symon Overzee in May and serued the said Ouerzee till March after and further Sayth not

Archball Wayhope sworne in open Co^{rt} Sayth That he doth knowe
John Babtist to be Symon Ouerzees seruant and that he serued him
two yeares within a Fortnight

Ordered that the p^t haue his freedome Bill of 1800th tobacco
together with Corne and Cloaths and the deft Costs of Suite

p. 704 To the Right hono^{bte} the Gouvernor and the rest of the Council of
Re Attwick the Prouince of Maryland

The humble peticōn of James Attwick Sheweth and humbly implores in refference to his age 65 yeares or thereabouts That yo^r Honors will be mercifully pleased to dismiss yo^r poore pet^r from the burthen and Charge of his Country Leauyes And yo^r pet^r shall pray &c.

Vpon the peticōn abouesaid It is ordered that for the future the
pet^r never be charged any of his Leauy

Attorney General v. Bradnox The deposicōn of Sarah Taylor aged twenty yeares or thereabouts
sworne and Examined in Co^{rt} 17th July 1660

Yo^r depon^t Sayth that Thomas Watson in tyme of his sicknes had very bad usage which was not fitt for a Christian in his weake Condi^cōn And yo^r depon^t further Sayth that her Master and Mistres forwarned yo^r depon^t and the rest of her fellow Seruants from carrying the said Watson either Victualls or drinke at the pill of a basted Coate vnles he came into the dwelling howse for itt Soe that the said Watson continewed six dayes and had neither Victuall nor drinke Soe that he drunck his owne Water in yo^r depon^{ts} sight The Seauenth day he came into the howse Creeping sometymes of all foure sometymes houlding by the Pallasadoes And when he come in yo^r depon^t Gaue him such Victualls as the rest of the Seruants had, And yo^r depon^t Sayth that the said Watson tould her that his M^{rs} was her death by a blowe she gaue him with a Cowle staffe which

[A Cowl
staff is a
pole upon
which a tub
is supported
between two
persons]

Blowe caused an Impostum to breed in the small of his back and it was broken inwardly yo^r depon^t sayth that he mayn to her Mistres face, But she Kick with her foote And day there being he at night Yo^r depon^t could not sleepe, and in the night she felt her Bedd shake and being Scared that the hare of her head stood right vp an End, not knowing the reason she lookt out of her bed and she sawe Thomas Watson standing by her bedside in the same likenes he was in in his prosperity. she sayd Lord haue mercy upon me and he gaue a Screeke and went his way And yo^r depon^t further sayth that the said Watson being turning the Spitt some three weekes before he dyed the fyre being something hott Soe that he could not Turne for the heate thereof, with that yo^r depon^{ts} Master pulld him out of the Corner and struck him soe violently with his hand on the Brest and face that the blood issued out of his mouth and nose Yo^r depon^t shewed the blood on the Ground to Thomas Southerne And yo^r depon^t Sayth that two or three dayes before the said Watson dyed he did absolutely Say that his Master and M^{rs} was the cause of his death And yo^r depon^t Sayth that she John White and Thomas Southerne was discourseing of the said Watson and how he should tell them that his Master and Mistres was his death and that their M^{rs} ouer heard th^m and that she came to them and scoulded at them, but they denied what they sayd and she went in and tould their Master what they sayd And he came to John White and asked him if yo^r depon^t sayd any such thing And the sayd White denied he heard her say any such thing And their Master made Answere yo^u say soe to saue her abasted Coate but she shall haue it for all that And yo^r depon^t sayth that Thomas Watson was in perfect sence and memory to the last night of life

Sarah & Tayler
her marke

The depⁿ of Thomas Southerne aged twenty yeares or thereabouts sworne and examined in Co^{rt} the 17th of July 1660

Yo^r depon^t sayth that Thomas Watson in tyme of his sicknes had very bad usage which was not fitt for a Christean in his weake condicōn yo^r depon^t Charged him that not any Sustenance att all But was forst to drinke his owne water and the seauenth day he came into the howse houlding by the Pallasadoes like a young Child Yo^r depon^t sayth that he heard the said Watson tell John White that his M^{rs} had struck him over the small of the back with a Cowle staff which would be his death Yo^r depon^t sayth that he and the said Watson and John White went out to Cutt wood and in pipeing their Master came and asked them if that was their worke and takeing the said Watson to falling of a Hiccory tree and while he was falling the tree, He Cutt a Hicckory stick and beate the said Watson many a Stripe John White standing by sayd he counted the

Liber
P. C. R.

p. 705

p. 706

Liber P. C. R. Stripes and he sayd there was fifty odd And yo^r depon^t sayth that another tyme goeing to the thicckett to worke, his Master Cutt a Stick and beate the said Watson till he broake itt and when he had done he cutt another and gaue it John White and bad him driue him a long and further sayth not Thomas $\frac{3}{4}$ Southerne his marke

The deposicōn of John White aged 22 yeares or thereabouts sworne and Examined in Co^{rt} the 17th of July 1660

Yo^r depon^t sayth that Thomas Watson in tyme of his Sicknes had very bad usadge not fitt for a Christean in his weake condicōn And yo^r depon^t further sayth that his Master Cap^t Thomas Bradnox and his M^{rs} Mary the wife of the said Bradnox forewarned yo^r depon^t and the rest of his fellowe Seruants from carrying either Victualls or drinke to the foresaid Thomas Watson vntill he came into the dwelling howse for itt vpon perill of a Basted Coate Soe that the said Watson continued six dayes and noe body durst to carry him either Victualls or drinke Soe that the said Watson was forst to drinke his owne water the seauenth day the said Watson came into desired for Gods sake for to giue him some him Buffle head and
 p. 707 asked him if he if thou Doest thou art mistaken I will take none out of my Crop to that purpose for thou art enough to be out of itt And yo^r depon^t further sayth that aboute three dayes before the said Watson dyed he sayd to yo^r depon^t John God by for my M^{rs} hath been my death and yo^r depon^t askt him, How and he answered by a Blowe my M^{rs} gaue me with A Cowle staffe ouer the small of the back After yo^r depon^t had heard what he sayd yo^r depon^t called his Mistres Thomas Southerne and Sarah Taylor, and the said Watson mayntayned what he had tould yo^r depon^t to her Face before them, his M^{rs} called him Rouge and sayd he lyed it was a Kick with her Foote And yo^r depon^t further Sayth that the said Watson doth walke and that he hath seene him two seuerall tymes the first tyme was in the night yo^r depon^t being troubled in his Sleepe awaked and turned his Face towards the Outside of the bed and he sawe Thomas Watson standing by his Bedside or something in his likenes wth that being scared yo^r depon^t turned himselfe aboute and sayd Lord haue mercy upon me, and the said Watson went away and gaue a Screeke And the next morning Yo^r depon^t tould his fellowe seruant Sarah Taylor what he had seene, the second tyme yo^r depon^t sawe the said Watson appeare was in the day tyme Betweene twelue and one of the Clock and then he appeared in manner as before And further yo^r depon^t sayth that his Master gaue the said Watson fifty cruell blowes vpon the head and sides with a good round hicckory Stick in the begining of his sicknes which made his head swell and another tyme yo^r depon^t sayth that his Master followed him from morning till Noone with a Stick in his hand to make him fetch wood and beate him more like a dogg then a Christean, and after he had broken his stick he gott another and gaue it yo^r depon^t and bad him

drive him a long but yo^r depon^t would not strike him the rest of yo^r dep^{ts} fellowe Seruants can testefye the same Yo^r depon^t the stick his Master gaue

Liber
P. C. R.

Then was impannell'd a Jury for the tryall of Mary Bradnox the Relict of Thomas Bradnox (vizt) p. 708

Richard Smith Foreman

George Macckall	}	William Greene	}	Zackary Wade
Humphry Haggett		William Hatton		William Kennedey
Robert Kingsbury		Francis Anketill		Walter Beane
Walter Pake		Daniell Clocker		Richard Collett
James Ueiche		John Bogue		Daniell Johnson

Then the said Mary Bradnox tendred to the Board these following dep^{ns} (vizt)

The deposicon of William Hemslye aged 26 yeares or thereabouts taken before M^r Philip Connor the 4th day of September 1660

Yo^r depon^t sayth that Cap^t Thomas Bradnox desired him for to come to see his Seruant Thomas Watson for he sayd he had the Scurvey and he used all meanes he could, but could doe him noe good Soe yo^r depon^t went to see the said Watson, and Cap^t Bradnox askt yo^r depon^t for to take him in hand if I thought I could cure him I tould him I had not meanes to undertake the Cure for it was my Judgem^t he was in soe deepe a dropsy that it was incureable but I directed Cap^t Bradnox what to gett to doe him good if possible any good could be done And Cap^t Bradnox sayd he could not tell where to gett such things as yo^r depon^t directed him but if they were to be gott, he would Endeauo^r to gett them in shorte tyme after yo^r depon^t heard the said Watson was dead & further sayth not

Jurat coram Philip Connor

W^m Hemsley

The depⁿ of Thomas Wetherell aged 53 yeares or thereabouts sworne and Examined in Co^{rt} the 17th of July 1660

Thomas Bradnox sent for of Thomas Watson depon^t sayth he receiued But what it pleased God to lay vpon him nor yo^r depon^t knoweth not of any bad usadge he had in the tyme of his Sicknes and further sayth not Thomas ⊗ Wetherell his marke p. 709

John Dobbs sworne and Examined in Co^{rt} Sayth the same verbatim with Thomas Wetherell aboue and further Sayth not.

John † D dobbs his marke

John White aged 22 yeares or thereabouts sworne and Examined July 17th 1660 Sayth Aboute the midle of the last moneth yo^r depon^t heard Sarah Taylor tell yo^r depon^t that if she should not gett the Vpper hand or day of her M^{rs} in the Seate which she hop't she should, that she would Run a Knife into her Mistres Bowells and

Liber alsoe in her owne before the face of the Co^{rt} and further sayth
P. C. R. not John White & his marke

Jurat coram Philip Connor.

Thomas Southerne being Examined sweares the same verbatim
with John White Thomas S Southerne his marke
Jurat coram Philip Connor

The depⁿ of John White aged 22 yeares or thereabouts taken the
13th of August 1660 sworne & Examined Sayth That sometymes in
January last being falling of a tree yo^r depon^t and another man that
Thomas Watson stood under the said tree yo^r depon^t bad the said
Thomas Watson stand from the tree, else the tree would knock him
on the head the said Watson replied he did not care if any man
would nock him one the head for his disease would kill him and
further he deposeth not

Jurat coram Philip Connor

John & White

p. 800 The depⁿ of John dabb taken before M^r Philip Connor Sep^t 29^o
1660 Sayth That aboute the 17th of February last past Thomas
Watson Seru^t to Cap^t Thomas Bradnox came to my howse being
very sick and much Swelld with the Scurvy and Thomas Wetherell
in yo^r depon^{ts} presence did strip the said Watson to uiew him And
yo^r depon^t did then see the Members of the said Watson and they
were broken, and the Skyn gone of them And yo^r depon^t did hold
the Candle while Thomas Wetherell did anoynte them and wee did
aske the said Watson whether or noe his Master or Mistres had
abused him and he sayd noe, but his desease was the cause or words
to that Sence and purpose And yo^r depon^t saw afterwards when the
said Watson was dead his M^r Cap^t Thomas Bradnox to handle the
said Corps and further sayth not, but the said Watson then sayd that
his M^r and Mistres did keepe a greate Stirr with him to walke and
stirr aboute and further sayth not

Jurat coram Philip Connor.

John dabbs † D his marke

Thomas Wetherell haueing heard the same read according to John
dabbs testimony doth affirme the same verbatim And further sayth
that Cap^t Thomas Bradnox did touch the Corps of Thomas Watson
and thrust his Thumb vpon his body to shew how his flesh did dent
and stirrd and shogd the Corps which on my oathe at Poynt Loue I
did then relate the 17th July last past And further I did not in the
leaste see any blood come from the Corps where Cap^t Bradnox
touched him and further sayth not but Thomas Watson tould yo^r
declarant he had not drinke enough

Thomas ⊕ Wetherell his marke

The depⁿ of Charles Hollinsworth aged 21 yeares or thereabouts
sworne and Examined the 7th of Sept^r 1660 before M^r Philip Connor

. . . . John White at Accomack Bradnox and that said
 White had not been vnder age the Reporte went he had been
 hanged And yo^r depon^t knew the said White to be an idle Runaway
 and of noe Creditt And yo^r depon^t heard say that John White was
 for sworne or perjured And alsoe that the said White had broken
 open a Store howse as the Generall Reporte went And further yo^r
 depon^t sayth not

Liber
 P. C. R.
 p. 801

Jurat coram Philip Connor Charles X Hollinsworth his marke

The aforesaid Jury retourned their Verdict thus (vizt) Wee of
 the Jury haueing duely enquired doe finde noe cause of p^rsentment
 concerning the death of Thomas Watson.

And Proclamacōn being made that if any man haue any thing to
 say on the behalfe of the Lord Proprietary against Mary Bradnox
 the Relict of Thomas Bradnox concerning the death of Thomas
 Watson they shall be heard

Noe man appeareing the said Mary Bradnox is Cleared by Procla-
 macōn

The plt desireth an Appeale in Chancery against the next Co^{rt}
 which was granted.

Robert
 Hooper v.
 W^m Greene
 et vx

The Co^{rt} is ajourned till to morrow morning at nine of the Clock

Thursday the 28th of Nouemb^r

Present as before

Nov. 28
 Attorney
 General v.

. . . . last Co^{rts} for some misdemeano^{rs} by him Comitted And
 hath for the space of foure or fue moneths been a Prisoner almost
 to his Ruine And whereas alsoe he is absolutely dejected through the
 Sence of his former follyes and unfeignedly hath made most serious
 vowes of Amendm^t being certainly assured of yo^r Hon^{rs} clemency
 to his tender yeares he haueing soe penitently ueiwd his p^rsent
 misery

p. 803

The p^rmisses considered yo^r penitent pet^r humbly implores yo^r
 hono^{rs} that his vowes of Amendm^{ts} may not be Cropt nor suffocated
 by a Continued Restraint but receiue nutriment from yo^r Hono^{rs}
 Clemency by the enjoym^t of his Release in such nature as to yo^r
 hono^{rs} shall seeme meete And he shall pray &c.

Vpon the peticōn aboue said It is ordered that the pet^r be releast.

The plt Claymes a Refference till next Co^{rt} which was granted

Samuell
 Brockett v.
 Sarah
 Marsh
 Hobbs v.
 Haggett

To the hono^{bte} the Gouvernor and Councell of the Prouince of
 Maryland

The humble peticōn of John Hobbs Sheweth That yo^r pet^r being
 indebted to Humphry Haggett in a certaine quantity of tobacco did

Liber
P. C. R. article and agree with the said Haggett to liue with him and worke in Coopery he haueing one halfe of his labor to finde him dyett lodging tymber &c. and yo^r pet^r the other halfe of what proffitt should be made out of his worke and to receive and pay himselfe out of that produce what he should justly be indebted to him

p. 804 Haggett usurping the power of a Master ouer to threats and most inhumane Complaynt & removeall prayeth that the County to Examine and giue a Reporte to this hono^{ble} Co^{rt} how they finde p^rsent difference And he shall pray &c.

Ordered that the busines be referred to the County Co^{rt} and that John Hobbs doe giue in security there to appeare to answere unto Humphry Haggett And that the Com^{rs} of that County are to see justice done in the busines

Bradnox v.
Taylor To the hono^{bte} the Gouvernor and Councell of Maryland
The humble peticōn of Mary Bradnox Sheweth That whereas there was an accōn of Conspiracy entred by Thomas Bradnox against Sarah Taylor who is unjustly freed which accōn could not be determined till the said Bradnox was cleared of the death of Thomas Watson, which being cleared yo^r pet^r humbly craues such sattisfaccōn of Sarah Taylor for such her Conspiracy And Running away from her seruice to accomplish her unchristean designe as yo^r hono^r shall see just Cause for And yo^r pet^r shall pray &c.

Ordered that Sarah Taylor giue in Security to appeare at the next Provinciaall Co^{rt}

Snow v.
Gerrard To the Right hono^{bte} the Gouvernor and Councell of Maryland
The humble peticōn of Marmaduke Snowe Sheweth That whereas Thomas Gerrard Esq^r and Brother in lawe to yo^r humble peticon^r hath obteyned a Judgement against one George Thompson for sattisfaccōn for some certaine Rights of land which rights did, and still doe belong vnto yo^r pet^r

p. 805 I doe hereby impower Coll W^m Euans or Thomas Turner Gent, to Act for me as my Attorney Generall in all Causes whatsoever me concerning during this p^rsent Co^{rt} Wittnes my hand this 28th of November 1661 Marmaduke Snowe

Thomas Turner appeareing the Attorney of Marmaduke Snowe, The Co^{rt} did Judge that there was not sufficient Grounds of superseas to be granted vpon the peticōn

Adjourn-
ment of
Court The Co^{rt} is Ajourned by the Leiuetennant Generall till the ninth of February next

Thompson
v. Gerrard George Thompson demands a writt to arrest Thomas Gerrard in an accōn of the Case to the value of 20000^t Tobacco

Warr^t mde to the Sherriffe of S^t Marys County to arrest &c. ret. the first day of the next Co^{rt} Liber
P. C. R.

Idem demands Sumons for Robert Clarke to testefye &c.

Idem demands Sumons for Thomas Allanson to testefy &c.

Sumons mde Ret : ut Supra.

Warr^t to the Sherriffe of Baltemore County to apprehend George Vtye and Richard Wells whoe are to appeare at the next Co^{rt} to answere to a high Contempt comitted ag^t his Lop^s Governm^t. Attorney
General v.
Utye &
Wells

Marmaduke Snowe demands a writt to arrest Thomas Gerrard in an accōn of the case to the value of 1400th ster. and 35000th tobacco 7th Dec.
Snow v.
Gerrard

Warr^t mde to the Sherriffe of S^t Marys County to arrest ret. ut Supra

William Calvert Esq^r demands a writt to arrest Henry Pennington in an accōn of trespas Calvert v.
Pennington

Warr^t mde to the Sher. of S^t Marys County to arrest &c.

.... John Thompkinson

Memorandum this day came Henry Banister and desired the En- sueing to be recorded (vizt) 16th Dec.
p. 806
Re Banister

Theis p^rsents testefye that I Thomas Stone in Charles County haue Sould and bargained for vnto Henry Banister to him and his heires Executo^{rs} a parcell of land being parte and belonging to the Manno^r of Westbury or one Tenem^t of Coppyhould therevnto lying on the side of the Hills Betweene Cap^t Prices and Robert Jones Plantacōns that were aboue the Pathe in the wood that way goeing to be two hundred acres, And this aboue mencōned two hundred acres I doe by theis p^rsents sell bargain for Sell and deliuer to him the said Henry Banister his heires or Assigns for and during the Extent vpon the same by order Co^{rt} to me belonging paying for the same at the vsuall receipt of rents in this province two Bushell of Indean Corne p ann to me my heires or Assigns. And in fine According to specialty two thousand two hundred pounds of tobacco. As Wittnes my hand and seale this 25th of November 1661

Tho. Stone

Sealed and deliuered in the p^rsence of Enoch Daughty Richard Stone

Richard Kadmore demands a writt to arrest Thomas Steeres in an accōn of debt. Kadmore v.
Steeres

Warr^t mde to the Sherriffe of S^t Marys County to arrest &c ret ut Supra.

Liber
P. C. R.
Re Neale
p. 807

Cæcilius &c. To the Com^{rs} of S^t Marys and Charls Countyes all or any of them Greeting Whereas Cap^t James Neale haueing in the yeare 1644 left certaine Neate Cattle Seruants and Guns and other goods in the possōn of Nathaniell [Pope] the Estate of the said Neale into the parts of Virg^a or otherwise out of the Jurisdiction of our Pro^{all} Co^{rt} Now Knowe yee that to the End the said James Neale may be Enabled to sue in the Co^{rts} of Virginea or else where and the Wittnesses liueing within the County of S^t Marys or Charles County wee haue thought fitt and doe hereby authorize yo^u the said Com^{rs} of S^t Marys and Charls countys All or any of yo^u to examine vpon oathe such persons as the said James Neale shall desire yo^u touching any Estate by him to the said Pope Comitted and the said Examinacōns soe taken to our Provinciaall Co^{rt} transmitt vnder yo^r hands and Seales and Close sealed up to the end that from thence they may be certefyed authentically to any Forreigne Co^{rt} that right may be done Giuen vnder the lesser Seale of this our Province of Maryland this 9th of december 1661 Wittness our deare sonne Charles Calvert Esq^r our Leiuetenn^t of our said Province

December
10th
Attorney
General v.
Thurston
vide 3 Md.
Arch. 362
eodem die

Warr^t to the Sherriffe of Calvert County to apprehend the body of Thomas Thurston without bayle or Maynprise

Warr^t to the Sherriffe of Calvert County to deliuer the body of Thomas Thurston to Richard Preston to Maynprise

Re Aber-
crombie's
Estate
p. 808

Whereas I am credibly informed that Daudid Aber Crombey is departed this life, These are therefore in the name of the Right hono^{bte} the Lord Proprietary to will & require yo^u William Harper and John Lawson, late Attorneyes of the said dauid Aber Crombey And all other Attorneys within this Province (if any be) not to dispose or parte with any the goods, or other Estate of the said dauid Aber Crombeys left in yo^r hands till further And likewise that both of yo^u make yo^r next Pro^{all} Co^{rt} to be held next to shew to James said dauid Aber Crombey late deceased as aforesaid Giuen at S^t Marys 14th day of december 1661

To the Sherr. of S^t Marys County

Re The St.
George
vide 3 Md.
Arch. Coun.
361

For as much as his Lo^p the Right hono^{bte} the Lord Prop^r hath by speciall order Comāded the deliury of the S^t George of Bantry with her Loadeing into the hands of Coll. George Walters or his Assigns. And whereas vpon Enquiry made I doe finde that the said Ship and goods are not yett deliuered. I doe hereby straightly charge and Comānd as well Cap^t Josias Fendall as the then Treasurer Philip Calvert Esq^r to deliuer the said Ship and goods or the vallue now in their possōn to the said Walters or his Assigns any Respitt formerly by the Councell granted to them or either of them to the

Contrary hereof notwithstanding as they will answere the Contrary Liber
at their perills Giuen vnder my hand 10th dec. 1661 P. C. R.

Charles Calvert

Robert Maccklyn demands a writt to arrest Thomas Williams in Dec: 20th
an accōn of debt Maccklyn v.
Williams

Warr^t mde to the Sherriffe of Kent County to arrest &c ret 1st
day of the next Co^{rt}

William Bushell demands a writt ag^t Thomas Dent Daniell Jan: 3^d
Clocker George Macckall and W^m Hatton Ex^{rs} to Coll. John Price in Bushell v.
Dent et al.
Price v.
Dent et al

Warr^t mde to the Sherriffe of S^t Marys County to arrest &c.

John Hammond demands a writt to arrest Anne Tilney Ex^{trix} to Hammond
Richard Hoskeys dec^d in an accōn of the Case. v. Tilney
Execx.

Elizabeth Packer demands Attachm^t Thomas Packer v.

Augustine Herman by his Attorney Richard Collett demands a p. 809
writt to arrest Nicholas Young Attorney of Major George Colclough Herman v.
Colclough
in an accōn of Coven^t

Warr^t mde to the Sher. of S^t Marys County to arrest &c.

Warr^t to the Sherriffe of Charls County to apprehend the body Jan. 10th
of John Jenkins and Christopher Russell without Bayle or Mayn- Attorney
prise General v.
Jenkins et al.

Eodem die Warr^t to the same sherr. to Confine Cap^t Josias Fen- Attorney
dall to his owne howse. General v.
Fendall

Cap^t James Neale demands a writt to arrest Robert Cole in an Neale v.
accōn of the case. Cole

Warr^t mde to the Sherriffe of S^t Marys County to arrest &c.

John Nicholls demands a writt to arrest John Nuttall in an accōn Jan. 15th
of the case Nicholls v.
Nuttall

Warr^t mde to the Sherriffe of S^t Marys County to arrest &c.

This day came Henry Sewall Esq^r and desired the ensueing to Eodem die
be recorded (vizt)

This Indenture made the 26th day of January annoq domini 1646
in the 22th yeare of the Raigne of our Soueraigne Lord Charles by
the Grace of God King of England Scotland France and Ireland
defender of the fayth &c. Betweene Prudence Sewall of Noneaten in

Liber the County of Warwick Spinister of the one party and Henry Cooke
 P. C. R. of the Citty of Coventry Felt maker of the other parte Wittneseth
 that the said Prudence Sewall as well for the yearely rent herein
 hereafter reserued as also for diuers other Good Causes and law-
 full consideracōns her hereunto especially moueing, Hath demised
 Granted sett and to farme Lett and by theis p^rsents doth demise
 grant sett and to farme Lett vnto the his Executo^{rs} Adminis-
 p. 900 trators and Assigns all contayning And the Yard
 on the North side of the same streete, Betweene a Messuage or
 Tenem^t in the tenure of Anne Cartwright widdow of the Easte p^{te}
 and a Tenem^t, in the tenure of John Bennett Glouer of the West p^{te}
 To haue and to hould the said Messuage or tenem^t and Garden with
 the appurtenances unto the said Henry Cooke his Executors Adm^{rs}
 and Assigns from the second day of February next ensueing the date
 hereof for and during, and vnto the full end and tearme of twenty
 and one yeares from thence next and imediately following, and
 fully to be compleate and ended Yeilding and paying therefore
 yearely during the said tearme of twenty and one yeares unto the
 said Prudence Sewall her Executors Administ^{rs} or Assigns the Sume
 or yearely rent of three pounds of lawfull money of England at
 two tymes or tearmes in the yeare (that is to say) vpon the first
 day of August and the second day of February by equall and euen
 persōns, Provided alwayes and it is expressly condiconed and agreed
 vpon by and Betweene the said partyes to theise Indentures by theis
 p^rsents that if it shall happen the said Sume or yearely rent of three
 pounds of lawfull money of England at any tyme or tymes hereafter
 during the said Tearme of twenty and one yeares to be behind or
 unpayd in parte or in all, after either of the said Tymes or tearmes
 in which the same ought to be payd at by the space of foureteene
 dayes being Lawfully demanded, that then and at all tymes from
 thenceforth it shall or may be lawfull to and for the said Prudence
 Sewall her heires Executo^{rs} Adm^{rs} or Assigns into the said demised
 p^rmisses and euery parte thereof to reenter and the same to haue
 againe repossesse and enjoye as in her or their former Estate and
 Right And the said Henry Cooke for him his heires Exe^{rs} Adm^{rs} or
 Assigns, and euery of them doth Covenant and Grant to and with
 the said Prudence Sewall her Executors Administrat^{rs} and Assigns
 by theis p^rsents that he the said Henry Cooke his Executo^{rs} Ad-
 ministrato^{rs} or Assigns shall and will att his and their owne proper
 Costs and Charges at or before the Nyne and twentyth day of Sep-
 tember next ensueing the date hereof well and sufficiently floore with
 Boards and joysts and other two Chambers of the demised
 build and sett vp vpon the back building of the said p^rmisses one
 p. 901 Good and sufficient payre of Stayres and glass the Wyndowes of in
 and aboute the said p^rmisses with glass, All which matters and thinges
 for the manner and forme is to be done and p^rformed as John
 Cattherins Tyler or his Assigns shall direct and appoynte and alsoe

shall and will at his and their owne proper Cost and charges from
thenceforth and from tyme to tyme, and att all tymes hereafter
during the said tearme of twenty one yeares well and sufficiently
repayre vphould amend Sustayne and Keepe the said Messuage or
Tenement with the Appurtenances and all other the last mencōned
p^rmisses in and with all manner of sufficient and tenentable Repara-
cōns and new buildings, And alsoe that he the said Henry Cooke
his Executors Administrato^{rs} and Assigns or some of them shall and
will in the end of the said Tearme of 21 yeares or other determinacōn
thereof Leaue and yeild up the said Messuage or tenem^t Garden and
Yard with the appurtenances and all other the said p^remisses Soe
floored sparred tyled erected built and Glaced as aforesaid well
sufficiently and tenentably repayed amended Sustayned vphoulden
and kept together with the quiett and peaceable possōn thereof vnto
the said Prudence Sewall her Executors Administrators or Assigns,
And the said Prudence Sewall for her heires Executo^{rs} Admini-
strato^{rs} and Assigns by theis p^rsents, that he the said Henry Cooke
his Ex^{rs} Administrato^{rs} and Assigns and euery of them shall and
will by and vnder the yearely rent and Covenants which on his or
their parts and behalves are or ought to be obserued and performed
from tyme to tyme and at all tymes during the said tearme of 21
yeares peaceably and quietly haue hould and Enioye the said Mes-
suage or tenem^t Garden Yard and all other the p^rmisses with the
appurtenances and euery parte and parcell thereof, without any the
Lett Suite trouble hinde[rance] by the said Prudence Sewall
. . . . Assigns or any of them Interchangeably haue putt their hands
and Seales the day and yeare aboue written. p. 902

Sealed and deliuered in the p^rsence of W^m Allcotts Anne Sewall
W^m Dudley Edward Cooke The 3rd marke of John Kathrins

Sumons issued to the Sheriffe of Charls County to W^m Heard
Hugh Neale Thomas Speake Thomas Lomax John Hatton John
Balch and W^m Potter to testefye on the behalfe of the Lord Prop^r ag^t
John Jenkins and Christopher Russell

Attorney
General v.
Jenkins et
al.

Thomas Billingsley demands a writt to arrest John James and
William Toulson; to answere his Suite in Chancery

Jan. 18th
Billingsley
v. James

Warr^t mde to the Sherriffe of Ann Arrundell County to arrest &c
jdem demands Subpa ad testificand: for John Barwell and Samuell
Chewe to testefye &c. Subpa mde.

jdem demands a writt to arrest William Parker to answer his
Suite in Chancery

Billingsley
v. Parker

Warr^t mde to the Sherriffe of Calvert County to arrest &c.

jdem dem^{ds} Subpa ad testificand Francis Chalke et ux and Ben-
jamyn Brashere to testefye &c Subpa mde

- Liber
 P. C. R.
 Jan. 20th
 Pheypo v.
 Smoote &
 True
 Steere v.
 Coleman
- Marks Pheypo demands a writt to arest W^m Smoote and Richard True in an accōn of the Case
 Warr^t mde to the Sherriffe of Charles County to arrest &c.
 Thomas Steere demands a writt to arrest Ellis Coleman [in] an accōn of the case
 Warr^t mde to the Sherriffe of S^t Marys County to arrest
- Herman v.
 ———
- Augustine Herman by his Attorney Richard Collett dem^{ds} a writt to arrest Thomas
- Jan. 25th
 Abington v.
 Nuttall
- John Abington demands a writt to arrest John Nuttall in an accōn of the Case
 Warr^t to the Sher. of S^t Marys County to arrest &c.
- Lee v.
 Leeds
- Hannah Lee Ad^{trix} of Hugh Lee dec^d by her Attorney Richard Collett dem^{ds} a writt to arrest W^m Leeds, in an accōn of debt
 Warr^t mde to the Sherriffe of Kent County to arrest
- Griffyn v.
 Grymes
- Anthony Griffyn demands a writt to arrest Richard Grymes in an accōn of the case.
 Warr^t to the sherriffe of S^t Marys to arrest &c.
- Hooper v.
 Greene
- Robert Hooper dem^{ds} a writt to arrest W^m Greene et ux to answere his suite in Chancery
 warr^t mde to the same Sherriffe to arrest &c.
 Idem demands a Subpa for John Steephens to testefye &c.
- Greene v.
 Roberts
- W^m Greene et ux demands a Subpa for Rich. Russell and Mary Williams to testefye in a cause betweene the said Greene & Fobby Roberts
 Sumons mde to the sher. of S^t Marys &c. ret ut supra.
- Re
 Tilghman
- Whereas there was a Contract and agreem^t indented made and Concluded beareing date the 12th day of July 1661 Betweene Samuell Tilghman Comāder of the Ship Goulden Fortune of London of the one parte and William Collins Cittizen and Woodmonger of London on the other parte Whereby the said William Collins his Executo^{rs} and Assigns were engaged to make ready and provide twenty Eight hōgshds of tobacco to be fetched a board the said Ship within forty dayes next after arrivall of the said Ship in Patowmack or Patuxent Riuers in Maryland accompting foure Virg^a hhds to euey
 whereas the said Samuell Tilghman in the on the 19th of Novemb^r Twenty Eight hogsheads on board the said Ship when soeuer required from his arriuall aforesaid untill this p^rsent day and hath not yett receiued any order from the said Collins his factors

or Assigns or any noate or notice from any of them for the receiue-
ing and fetching of the said twenty Eight hhds or any parte thereof
a board the said Ship. Therefore the said Samuell Tilghman doth
hereby protest as well ag^t the said William Collins as ag^t all other
persons whatsoever, And doth hereby declare that what damage shall
be made appeare to ensue for the Non performance of the aboues^d
Contract and Agreem^t may and shall rest vpon the s^d William Collins
his Executors Administ^{rs} or Assigns according to the Tenor of the
said Contract and agreem^t

Liber
P. C. R.

And I Charles Caluert Esq^r Gouvernor of the said Province of
Maryland vnder his Lo^p Cæcilius Lord Barron of Baltemore Lord
and Proprietary of the said Province because the Protest aforesd
was made before me haue hereunto sett my hand and Caused his
said Lo^{ps} lesser Seale of the said Province to be affixed hereunto
this 22th day of January 1661

Charles Caluert

Henry Sewall Esq^r dem^{ds} a writt to arrest Simphorosia Nanfan
in an accōn of the Case.

Sewall v.
Nanfan

Warr^t mde to the Sherriffe of S^t Marys County to arrest &c.

John Lumbrozo dem^{ds} a writt to arrest Walter Pake in an accōn
of debt in Chancery

Lumbrozo v.
Pakes

Warr^t mde to the Sherriffe of S^t Marys County to arrest &c. ret
ut Supra.

Idem dem^{ds} Subpa: ad testificand German Gillyett Subpa mde.

Robert Kedger demands a writt to arrest William Black in an
accōn of the Case.

Kedger v.
Black

Warr^t mde to the Sherriffe of S^t Marys County

Ellinor Martyn demands a writt to arrest Patience Martyn in an
accōn of the Case

p. 905
Martine v.
Martine

Warr^t mde to the Sher. of S^t Marys County to arrest &c.

At a Provinciall Co^{rt} held at S^t Marys 11th February 1661

1661/2
Feb. 11

Present Charles Caluert Esq^r Gouvernor Philip Caluert Esq^r Chan-
cellor Henry Sewall Esq^r Secr^r and Baker Brooke Councillor.

[An order
concerning
days when
officers are
to attend to
business is
printed in 3
Md. Arch.
Coun. 447]

. . . . William Hatton John Nicholls Peter Mills W^m Lucas

W^m Bretton Foreman sworne with the rest aboue written

p. 906
Martine v.
Martine

To the Hono^{bte} the Leiutenn^t Generall and Councill

The humble peticōn of Ellinor Martyn Sheweth That yo^r pet^r the
Widd of Francis Martyn hath for the space of this fiteene yeares

Liber
P. C. R. been afflicted with a greate Lamenes in her Leggs together with seuerall other distemps which does altogether make her incapable of prouideing for her selfe Soe that haueing noe other Refuge to flee vnto but yo^r hono^{rs} fauourable Goodness humbly requests yo^u will be pleased forthwith quietly to order her possōn of a third parte of all the Lands and Edifices which properly did belong to her former husband Francis Martyn

Yo^r peticon^r by yo^r fauo^r further declares that when her husband bought this land lying in S^t Jeromes he gaue halfe of it vnto his younger Sonne Loadiwick Martyn vnto whome yo^r pet^r humbly craues yo^u will Confirme itt, And she as alwayes bound shall pray &c

The p^{lt} sueth qut in peticōn the def^t desireth a Refference till tomorrow morning which is ordered accordingly and that the def^t haue a copy of the p^{lts} peticōn :

Re Coleman Francis Mugg and John Coleman and his wife assigns over in open Co^{rt} a Pattent of 120 acres called the Crost to Ellis Coleman.

p. 907 The said Ellis Coleman assignes ouer . . . next Provinciaall Co^{rt} to trye the Cause

To the hono^{bte} the Gouvernor and Councell

Harwood v.
Williams &
Beaueres The humble peticōn of Richard Smith Attorney to Tho: Harwood Sheweth That whereas John Williams and Christopher Beaueres Seamen came ouer into this Country in the said Harwoods ship and brought over two men Seruants the which they sould unto John Grammer but the said Williams and Beaueries doe still stand indebted to the s^d Harwood for the passages of the aforesaid seruants thirteene pounds thirteene shillings Sterl: money which is six pounds tenn shillings a peece their passage and six shillings six pence a peece petty charges Now soe it is that the s^d Williams and Beauerys are run away on purpose to defraud the said Harwood of his just right wherefore the said Harwood for to secure his debt was forct to attache the Tobaccos in the hands of John Grammer

Therefore yo^r pet^r in the behalfe of the said Harwood prayeth Judgem^t for soe much tobacco as this hono^{bte} Co^{rt} shall thinke fitt for the sattisfying of the afores^d Sumes of money with cost Charge and daṃage & yo^r pet^r as in duty bound shall pray

The p^{lt} sueth p[ro]ut in peticōn the def^{ts} Confess they had two seruants brought in as in the peticōn is alleadged Ordered that they pay two thousand one hundred Eighty foure pounds tobacco to the s^d Cap^t Harwood for the said Seruants passage one hundred and fifty for the Sherriffe and one hundred twenty . . .

To the Right hono^{bte} the Leiuetenn^t Generall and the rest of the Councell &c

Liber
P. C. R.
p. 908
Nicholls v.
Nuttall (per
Daniel
Clocker,
attorney)

The humble peticōn of John Nicholls on the behalfe of his daughter Easter Nicholls Humbly sheweth That whereas yo^r peticon^{rs} daughter being a Freewoman borne in this Province, and Cap^t Thomas Cornewallis often pressing yo^r peticon^r that she might come and lue with him to wayte on his wife did at his request and desire putt his said daughter to him he promising him she should doe nothing else but wayte on his wife as by seuerall wittnesses yo^r pet^r can make appeare

Now soe it is may it please yo^r honors that the s^d Cap^t Cornewallis haueing sould most parte of his Estate in this Country to one M^r John Nuttall and yo^r pet^{rs} daughter amongst the rest of his Seruants alsoe Contrary to equity and justice the said Nuttall refuses to deliuer her up to yo^r pet^r without an order of this hono^{ble} Co^{rt}

The p^rmisses considered yo^r pet^r humbly craues an order of this hono^{ble} Co^{rt} for her freedome soe that yo^r poore pet^{rs} daughter may not be made a slaue And he shall pray &c.

Whereupon was p^duced this Indenture which is as followeth

This Indenture made the second of February 1658 Betweene John Nicholls and Hester Nicholls of the one parte and Thomas Cornewallis and Penelope his wife on the other parte Wittnesseth that the said John and Hester Nicholls doth couenante promise and Grant to and with the said Thomas Cornewallis and Penelope his wife that the said Hester Nicholls shall serue the said Thomas [Cornwaleys] their Assigns shall finde and allowe the s^d Hester meate drinke Apparrell and lodging In Wittness whereof the s^d John Nicholls & Hester Nicholls haue hereunto sett their hands & Seales the day & yeare aboue written

John Nicholls his marke I HH

Hester Nicholls + her marke

Sealed and deliuered in the p^rsence of Rich. Hoskeys John Abington

Edward West sworne in open Co^{rt} Sayth That Cap^t Cornewallis did promise the said Nicholls that his daughter should doe nothing but wayte on his wife and that he would leaue her with M^{rs} Tilney to teache her to reade and to sowe And make her fitt to wayte on his wife and would take as much care for her as his owne Child and further sayth not.

They putt themselues to the Tryall of a Jury.

warr^t to the Sherr. to impannell a Jury, The sherriffe ret. his writt and warned.

John Hammond	} W ^m Tetttersall Peter Carwardine Geo: Wright Christopher Jones	} Rich. Collett Tho: Griffyn W ^m Greene Henry Pennington
William Heard		
German Gillett		
Rich Russell		

Liber
P. C. R. John Hammond Foreman being Sworne together wth the rest
about written withdrew, for a while and then brought in their verdict
vizt

Wee finde this Indenture illegall deceitfull and voyd ordered
that the said Easter Nicholls

p. 1000
Feb. 12

Wednesday the 12th of February 1661

Present Charles Caluert Esq^r Gouvernor Philip Caluert Esq^r Chan-
cello^r Henry Sewall Sec^r Baker Brooke Henry Coursey and John
Bateman Councello^{rs}

To the hono^{ble} the Leiuetenn^t Generall and the Councell of Maryland

Herman v.
Colclough
per Thomas
Manning
Atty. The humble peticōn of Richard Collett Attorney to Augustine
Herman Sheweth That whereas there were certaine differences de-
pending Betweene Elizabeth Overzee Ad^{trix} of Symon Overzee dec^d
and Augustine Herman it was agreed vpon Betweene the said Augus-
tine and Major George Colclough who marryed the said Elizabeth
to putt the said differences to the Arbitracōn of Henry Coursey
and John Bateman Esq^{rs} Cap^t Samuell Tilghman and Cap^t Miles
Cooke and to that end the said Major George Colclough did on the
20th day of February 1660 become bound to the said Augustine in a
bond of one thousand pounds sterl: to stand to and performe what
award the said Arbitrat^{rs} should make as by the Condiçōn of the said
bond more at large appeareth

Yett now Soe it is may it please yo^r honors that the said Major
George Colclough hath not pformed the said award to the greate
dāmage of the said Augustine wherefore yo^r pet^r humbly craues
Judgem^t against the said Major George Colclough for the said one
thousand pounds sterl. and he as in duty bound shall alwayes pray &c.

The p^{lt} sues p[ro]ut in peticōn The def^t alleadges that the bond
was voyd the def^t haueing confest Judgem^t for the tobacco that was
awarded, and therefore desired A Non Suite which was granted.

W^m Bushell
v. ———

Ordered that John Hammond vndertake

p. 1001
Billingsley
v. James &
Toulson

To the hono^{ble} the Gouvernor and Councell of Maryland.

The humble peticōn of Tho: Billingsley Sheweth That yo^r pet^r
bought and is seated vpon one hundred and fifty acres of land lying
vpon the Clifles in Calvert County which formerly belonged to
John James and W^m Toulson of Anne Arrundell County who hath
rec^d good Consideracōn

Therefore yo^r pet^r humbly craues yo^r Hono^{rs} to Comand the said
John James and W^m Toulson that justly they warr^t the said land and
giue reasonable Assurance thereof And he shall pray &c.

John Barwell sworne in open Co^{rt} sayth That the land now Thomas Billingsley liues upon is that land for which John Hall was first entreaty with John James and W^m Toulson and further Sayth not

Liber
P. C. R.

Francis Chalke sworne in open Co^{rt} sayth That he was p^rsent when John Hall called John Barwell and bid him take notice that he had bought the vppermost parte of the land, belonging to John James and William Toulson which said land lyes next to the land vnto this depont Chalke and further sayth not

The p^{lt} sueth p[ro]ut in peticon afores^d The def^{ts} not appeareing the p^{lt} desires that his subpenaed wittnesses may be examined in open Co^{rt} which was granted and are aboue written

To the hono^{ble} the Gouernor [and Councell] of Maryland one hundred and fifty acres of land vpon the Cliffes in Consideracōn of fīue thousand pounds of tobacco & Caske which yo^r pet^r has payd unto the s^d W^m Parker

Bushell v.
Parker
p. 1002

Yo^r pet^r humbly craues yo^r honors to Co^mand the said William Parker that justly he warrants the said land to yo^r peticon^r and to giue him reasonable assurance thereof And he shall pray &c.

The p^{lt} desires p[ro]ut in peticōn and desires that the Euidences of John Barwell and Francis Chalke taken in the cause afore goeing may be made use of in this Cause and further produceth this receipt (Vizt)

Receiued of Thomas and James Billingsley fīue thousand pounds of tobacco and Caske Ann^o 1660 for one hundred and fifty acres of land which I sould th^m lying next to Francis Chalkes I say receiued by me

Signed Will : Parker.

Whereupon the Co^{rt} Considered: Ordered that this Cause be respitted till the last day of this Court and that then if the said William Parker appeare not to answe^r this Suite he being now ready to departe the Province that the Sherriffe Attache to the vallue of fīteene hundred pounds of tobacco till the said Will^m Parker shall giue them assurance of the land soe bought as aforesaid or else to shew good Cause to the Contrary

To the hono^{ble} the Gouernor and Councell of the Prouince of Maryland

The humble peticōn of John Cobreth Administrato^r in trust of John Billingsley Sheweth that Billingsleys heire has noe right or tytle to the said land

Yo^r pet^r humbly craues yo^r honors to Co^mand the said William Parker that justly he warr^t the said land and to giue reasonable assurance thereof And he shall pray &c.

p. 1003

The p^{lt} desireth p[ro]ut in peticōn and it appeareing to this Co^{rt} by a copy of the record beareing date 24th June 1652 that the said

Liber
P. C. R. Parker did condicōnally convey a certaine Tract of land vpon the Cliffes condicōnally that the said Burbage and Billingsley should Seate the land pay the Surveyor and retourne unto the def^t Parker soe many rights as amounted to soe much land as was by the said Parker to the s^d Burbage and Billingsley conveyed, And whereas by another cōpy of the Record dated december 10th 1652 it Likewise appeareth to this Co^{rt} that the said Billingsley did Rights for the said six hundred acres of land unto the said Parker reassigne, and that the said land is by the said Billingsley seated as is averred. Ordered that if the said Parker doe not appeare by the last day of this Co^{rt} to answere this Cause Attachm^t to be Granted for two thousand pounds of tobacco till he doe appeare to answere the s^d Cause.

Robert
Kedger p^t
Wm Black
dēft
p. 1004 neither p^t nor def^t appeareing the Cause is dismiss
To the hono^{bte} the Gouernor and Councell of the Province of Maryland

Martine v.
Martine The humble peticōn of Ellinor Martyn Sheweth That yo^r pet^{rs} husband Francis Martyn haueing purchased two hundred acres of land to him and his heires for ever dyed intestate, and left issue of his body foure children The eldest of which entred upon the said land as heire and dyed issueless bequeatheing the s^d land to certaine daughters in lawe putting by the right heire of her husband

She therefore in right of her Sonne Lowdowicke Martyn desireth she may be possessed of the s^d land vntill her said sonne come to lawfull age alsoe that she may haue order to enjoye the thirds of that land during her naturall life and that Patience Martyne may be outed of itt and pay costs of Suite And she shall pray &c.

An Agreem^t made this 8th day of december 1660 Betwixt Ellen Martyn Widd and W^m Martyn as followeth It is agreed upon by both partyes that W^m Martyn is to haue the 30 foote tobacco howse, and all the cleare Ground that George Wilson had quietly to enjoye itt and that W^m is to fence his parte and Ellen Martyn is to fence her parte, and that noe other shall enjoye the land saue himselfe during her life alsoe the s^d William Martyn is to build himselfe a dwelling howse at the other end of the Thickett if health permitt by the next Spring after date hereof, And for truth of this agreem^t wee haue hereunto putt our hands the day and yeare aboue written

Ellen E Martyn

Wittnessed by us

her marke

p. 1005 The p^t sueth p[ro]ut in peticōn Ordered that the p^t haue the thirds of the land which descended from Francis Martyn her husband to W^m Martyn her sonne, and that the remaynd^r with the reuersion remayne to the children of Patience Martyn according to the will and that Ellinor Martyn pay Co^{rt} charges.

The depⁿ of German Gillett aged 30 yeares or thereabouts Sayth
That walter Peake did say that he did owe to J^{no} Lumbrosa a bill of
thirteene hundred and odd pounds of tobacco, and proffered him to
giue him a bill for next yeare, he denyed the offer and since he
denyed itt the said Peake would not proffer the said Lumbrosa the
like againe for he had a Generall discharge for all and further Sayth
not

Liber
P. C. R.
Lumbroso v.
Pake

German A Gillett

Sworne in open Co^{rt} John Gittings Clre. his marke

This Cause is referred to the next Provinciaall Co^{rt}

neither p^{lt} nor def^t appeareing the cause is dismist.

Richard
Kadmore v.
Tho:

. . . . to M^r Thomas Griffith of London Merch^t in the Sumē of
34th ster. as p his bond appeareth

Steeres
p. 1006
Symon
Carpenter
Atty. to
Thos.

Now whereas Francis Carpender hath ad^{tred} on the Estate of the
said Richard Hicks yo^r pet^r humbly desires yo^r honors order, and
that a course may be taken for the said Griffiths sattisfaccōn out of
the Estate And yo^r pet^r shall pray

Griffith v.
Francis
Carpenter
Adminr in
trust as
atty. unto
Leonard
Chamber-
laine

Knowe all men by theis p^rsents that I Thomas Griffith of London
Merch^t haue and by theis p^rsents doe name make authorize and
appoynte my very loving freind Symon Carpender of Patuxent in the
Province of Maryland merch^t my true and lawfull Attorney for me
and in my name and to my proper use & behoofe to aske leauy require
recouer and receiue of the Ex^{rs} or Administrators of Richard Hicks
late of Patuxent aforesaid Carpenter the Sumē of thirty foure
pounds of lawfull moneys of England which is due unto me as by a
certaine bond more at large appeareth Giueing and by theis p^rsents
granting unto my said Attorney my full power and lawfull authority
as concerning the p^rmisses to doe sue for execute p^rsecute acquitt and
finish all and euery lawfull Acte and Acts whatsoeuer in and about
the p^rmisses needfull in as full and ample manner to all intents effects
and purposes as I myselfe might or could doe personally p^rsent and
looke whatsoeuer my said Attorney shall lawfully doe or cause to be
done in and aboute the p^rmisses I promise to rattifye Confirme and
allowe for good by theis p^rsents In Wittness whereof I haue here-
unto putt my hand and Seale the 10th of October in the yeare of our
Lord God 1660

Tho. Griffith

Signed Sealed and deuliuered in the p^rsence of . . .

The p^{lt} desires p[ro]ut in peticōn, The def^t alleadges the bond is
voyd; and there being noe wittnesses p^esent to que the said bond, it
is ordered th^t a Non Suite be granted to the def^t

p. 1007

The p^{lt} not haueing his writtn^s ready a non suite is granted to
the def^t

John Ham-
mond v.
Anne
Tilney

Liber To the hono^{ble} the Leiuetenn^t General and the rest of the Councell
 P. C. R. The humble peticōn of Robert Peyton as Attorney to James Ueich
 Veitch v. Sheweth That whereas at a Provincia^ll Co^{rt} held at S^t Marys the
 Hammond 25th day of November last past John Hammond obtayned Judgem^t
 ag^t yo^r peticon^r vpon default of his appearance

Now yo^r pet^r humbly craues that yo^r Hono^{rs} takeing into Consider-
 acōn the Tenor of this affid^t will vouchsafe to grant a Supersedeas
 vpon the said Judgem^t And he shall pray &c.

Knowe all men by theis p^rsents that I James Ueich riuer doe
 constitute ordeine and appoynte Attorney in any suite w^{ch}
 Ueich and J^{no} [Hammond] shall

p. 1008 Cap^t Samson Waring aged 43 yeares or thereabouts sworne and
 Examined this 26th dec. 1661 Sayth That comeing to the howse of
 Hugh Lee the 25th day of November, presently upon the riseing up
 of the Co^{rt} James Ueich there meeting with M^r John Hammond he
 demand^d wherefore he the said John Hammond arrested him The
 said John Hammond answered that it was for a bill of Robert
 Taylors in James Ueiches hands but since that they were mett to-
 gether that they would not trouble the Co^{rt} with itt but adjust acc^{ts}
 betwixt themselues And for the same purpose the said John Ham-
 mond chose me this depon^t to arbitrate this busines betwixt him and
 the said Ueich, and this depon^t sayth that the said Hammond prom-
 ised to send his acc^{ts} within 14 dayes to the said Ueitches howse,
 but hath not yett sent them and further sayth not

Jurat coram me Philip Calvert Samson Waring

Vpon the peticōn of Robert Peyton Attorney to James Ueich The
 def^t ackknowledges the s^d peticōn.

Bushell v. Ordered that the Executors of Coll John Price vizt Thomas Dent,
 Dent et al. Daniell Clocker and George Macckall and William Hatton be Guar-
 dians to Anne Price and Joseph Bullett, and a Non Suite is granted
 ag^t W^m Bushell in all Suites relateing to the p^rmisses.

p. 1009 Ordered that M^r John Bateman and M^r Thomas and Thomas
 Public Manning are hereby impowred to call all persons whatsoever to
 Accounts accompt within that County Concerning the publiq accompts, and
 that they be further impowred where they find tobacco not payd to
 the Sherriffe for the Leauy and other busines to execute and gett
 the same in, as fully as if the Sherriffe had Lived, and that they make
 Proclamacōn of this the next County Co^{rt}

Re Nicholas Carre sworne in open Co^{rt} Sayth That heareing M^r
 Ashcombe Scapes and M^r Ashcombe discoursing touching some tobacco adven-
 tured home for England or Holland by the said Ashcombe and
 Consigned to James Scapes he heard the said Scapes say that the
 tobacco was sould for fifty pounds or thereabouts and further sayth
 not

Ellinor Martyn Thomas Ward, and George Wilson fined 500th of tobacco a peece that is to say Ellinor Martyn 500th tob: Thomas Ward 500th tobacco and George Wilson 500th tobacco; for Turning Patience Martyn and her Children by force out of her howse

Liber
P. C. R.
Martine v.
Martine

To the hono^{bte} the Gouernor and Councill

The humble peticoⁿ of Barnaby Jackson Sheweth That yo^r petitioner hath brought two Servants unto yo^r honors to adjudge of their age, and assigne them a tyme of Servitude according to Acte of Assembly and he shall pray

Re Jacksons
Servants

Vpon the peticoⁿ of Barnaby Jackson in leiu of his Seru^t The Co^{rt} doth Judge one of his Seruants named Eden Hubert to be fiftene yeares ould whereupon it is ordered that . . . six yeares

Thursday the 13th February 1661

Present as before together with M^r Edward LLoyd

Feb. 13
p. 1010
Billingsley
v. Parker

This day appeared William Parker to answe^r the Cause Betweene him and Thomas Billingsley. The p^{lt} Tho: Billingsley alleadging that he bought of William Parker a certaine Tracte of land Contayning one hundred and fifty acres next to Francis Chalkes land vpon the Cliffes which the said Parker had bought of John James and William Toulson desireth warranty of the said land. The said Parker answered he had payd for land for and on the behalfe of John Hall his sonne in lawe who had purchased itt of the said John James and William Toulson, and that he had payd the said James & Toulson for itt by bill of Exchange, that before letters could come from England with advice of the paym^t of the said bills of Exchange, the said Hall dyed, and that the Widd of the said Hall daughter to the said Parker desired him the said Parker to sell the said land for sattisfaccⁿ of his bills of Exchange, which upon his receipt of advice of the paym^t of the said bills, he accordingly did and transferred his Right and his daughters in the said land to Thomas Billingsley which he is ready to accknowledge here in Co^{rt}

Ordered that M^r Parker make warranty of the Land menc^oned in the receipt aforesaid

The p^{lt} sueth for an assurance of land sould by the def^t to the p^{lt} whereupon the p^{lt} p^{duced} a Bill of Sale which is as followeth vizt

John
Cobreth v.
W^m Parker

Whereas W^m Parker of Seuerne in the County of Anne Arrundell planter is possessed of Eight hundred acres of land vpon the Cliffes adjoyning to the land of Richard Bennett Esq^r North west Now knowe yee that I the s^d . . . South East side of the said devident the said Burbage and Billingsley doe oblige their selues to seate the said land betweene this and the 25th of december next, and to pay the

p. 1011

Liber Charge of the Survey, and in Consideracōn to giue the said Parker
P. C. R. Rights for the said six hundred acres of land, and what other Con-
sideracōn shall be allowed to the s^d Parker by the said Burbage and
Billingsley as by the Testimony of M^r Thomas Marsh shall appeare
under his hand In Wittness of the truth doe hereunto sett our hands
and Seales the 24th June 1652

W^m Parker Tho. Burbage John Billingsley

Wittness Robert Vaughan Philip Connor

Fol 62 de anno 1652 True copy

Philip Calvert

Robert Vaughan tooke his oathe to the truth of this bill of Sale
in open Co^{rt} John Gittings Clre:

February And Cap^t Robert Vaughan haveing sworne in open Courte to the
13th 1661 truth thereof. The Judgem^t of the board is that it is a sufficient
Assurance according to Condicōn vntill they be disturbed by the def^t

Then came the Grand Jury and p^rsented theis following Indictm^{ts}
(vizt)

Attorney Indictm^t ag^t Robert Stack and W^m Southerly for Disturbing the
General v. Minister in divine Service . . .
Stack et al. p. 1012

Attorney Indictment ag^t Thomas Courtney Vincent Atcheson Thomas
General v. Wright and Edmund Basey for feloniously Killing Hogs
Courtney et al.

Attorney Indictm^t ag^t Penelope Hall of Snowe Hill Manno^r for haueing a
General v. Bastard
Hall

Then was called for a Petty Jury

John Hammond	}	Stanup Roberts	}	German Gyllett
Henry Hyde		William Palmer		Christopher Goodard
Peter Corwardine		Robert Jones		Thomas Innis
William Harper		Francis Hill		John Wayhope
John Hammond Foreman				

Attorney Then was read the Indictm^t of Robert Stack in his verbis
General v. Stack
The Jurors for the Lord Proprietary doth p^rsent Rob^t Stack and
William Southerby, That whereas the said Robert and William did
on the 19th day of January last at the howse of Robert Joyner of
New Towne Hund^d in the County of S^t Marys came and then and
there did maliciously and purposely the minister and people there
mett together to heare diuine Service disturbe and disquiett And
further the said Robert Stack did on the 26th day of the same moneth
att the Church at the head of the Cross Creeke in the County afore-
said the Minister and people then and there also mett together to the
intent aforesaid in like manner maliciously and purposely disturbe
and disquiett contrary to the Statute in that case provided and ag^t
the peace of the Lord Prop^{ry} his rule and Gouvernm^t

And being asked whether he was guilty or not guilty he answered not guilty Liber
P. C. R.

The said Stack being asked how he would be tryed answered by the Co^{rt}

The said Stack haueing confest the Indictm^t as to the disturbance of the Minister of the Church . . . and finde Suretyes for his good behaiour p. 1013

Then was read the Indictm^t of Joseph Edlowe in his verbis &c. The Jurors for the Lord Proprietary doth p^rsent Joseph Edlowe of S^t Hieromes in the County of S^t Marys Planter, That whereas the said Joseph Edlowe sometyme in May last, hunting in S^t Hieromes Manno^r a certaine unmarked bull aboute a yeare ould or vpwards wth a Gun loaded with Shott which he carryed in his hand and dischargeing the same at the s^d Bull did then and there unlawfully kill and carry away converting the same to his owne use ag^t the lawe or Statute of this Province in that case provided and ag^t the peace of the Lord Prop^{ry} and his Gouvernm^t To which he pleaded not Guilty Attorney
General v.
Edlow

Then was read the Indictm^t of Thomas Courtney in his verbis The Jurors for the Lord Proprietary doth p^rsent Thomas Courtney in the County of S^t Marys Planter Vincent Atchison of S^t Innagos Hundred in the County aforesaid Planter Thomas Wright at Snowe hill in the same County Planter, and Edmund Basey of S^t Innagos Hundred and County aforesaid to Walter Waterlyn Seruant, That whereas the said Thomas Courtney Vincent Atcheson Thomas Wright and Edmund Basey Sometime in January last with doggs and Guñs in his Lo^{ps} Forrest and other Lands of the Neighbourhood did hunte and then and there certaine marked hoggs of the Neighbourhood did kill, And after Killing some of the said hoggs did unlawfully mismarke by Cutting and mangling the eares of the same, by which meanes the Right Ownors were debarred of clayming that was their owne, ag^t the lawe of this Province in that Case prouided and ag^t the peace of the Lord Proprietary his rule and Gouvernm^t said Thomas Courtney pleaded not [guilty] Whereupon Attorney
General v.
Courtney
et al.
It is ordered that the said Courtney Pay to the Ownor of the Hoggs who is Cap^t Will^m Boreman the Sume of six hundred pounds of tobacco To the Informer two hundred pounds of tobacco and to the Lord Proprietary for a Fine three hundred pounds of tobacco p. 1014

Then was read the Indictm^t of William Seely in his verbis &c. The Jurors for the Lord Proprietary doe p^rsent William Seely of S^t Hieromes in the County of S^t Marys Planter That Whereas the said William Seely being lawfully su^moned and warned to attend on the Guard on the 14th day of February anno 1660 by his Leiuet Marks Pheypo vpon most urgent occasions both for the safety of the Attorney
General v.
Seeley

Liber Gouvernor and Councell and publiq^e peace of this Province Yett
P. C. R. notwithstanding the said William Seely did the 18th day of the same moneth mutinously and feloniously run away from of the said Guard and from his said Leiuetennt contrary to the forme of diuers Statutes in that case made and prouided and ag^t the peace of the Lord Proprietary his rule and Gouvernm^t

Attorney Then was read the Indictm^t of Thomas Ward in his verbis &c.
General v. The Jurors for the Lord Proprietary doe p^rsent Thomas Ward at
Ward St Hieromes in the County of St Marys Planter that whereas the said Thomas Ward being lawfully warned to attend on the Guard on the 14th day of February anno 1660 by his Leiuetennt Marks Pheypo upon most urgent occasions both for the safety of the Gouvernor & Councell and peace of this Province Yett notwithstanding the said Thomas Ward did on the 15th day of the same moneth feloniously run away from off the Guard and from his said Leiuetennt leaueing his Armes behinde him Contrary to the forme of diuers Statutes in that case made and provided and ag^t the . . .

p. 1015 The Jury retourned and brought in their uerdict William Seely Guilty Thomas Ward not Guilty

Attorney Then was p^esented the peticōn of William Seely (vizt)
General v. To the hono^{ble} the Gouvernor and Councell of Maryland
Seeley

The humble peticōn of William Seely Sheweth That yo^r pet^r hath been convicted this Courte for departure from service and certaine words scattred from him which passes as mutinous

He humbly ackknowledges his faulte and ignorance & declareth that his misusage was very greate which caused him (not capable of the danger thereof) to breake into some passionate expressions never intending nor Knoweing what belonged to a mutiny and promiseth euer to be warned not to neglect or refuse any future Service and Comānd And prayeth with all Contricōn and hearty sorrow that yo^r honors will be pleased to mittigate the Seuerity and Strictnes of such punishm^{ts} as are by lawe prouided ag^t such offences and that his ignorance and penitency may be by yo^r Honors taken notice of And he shall pray &c.

Vpon the peticōn abouesaid It is ordered that W^m Seely be pardoned

Attorney Came M^r Attorney Generall before the Grand jury & informes
General v. them of a certaine weoman seru^t th^t liued aboute two yeares since
 with M^r Henry Coursey who had a Bastard whilst she liued there her name the Informer knoweth not, nor what is become of the Child nor the woman & the L^d Prop^r comānds an accompt of both of them

The Jurors for the Lord Proprietary doth p^rsent James Gaylourd that yesterday being the 12th of this instant February did inordinately misbehaue himselfe and drinking and The aforesaid James Galourd being Comitted into the Sherr. Custody; till he was againe called for; the Sherriffe being called to bring him before the board againe, answered he was gone, Whereupon It is ordered that the Sherriffe aforesaid be fined one hundred pounds of tobacco.

Liber
P. C. R.
Attorney
General v.
Gaylord
p. 1016

To the Right hono^{ble} the Gouvernor and Councell of the Prouince of Maryland

The humble peti^con of Mary Bradnox Sheweth That whereas there was an acc^con of Conspiracy entred by Thomas Bradnox ag^t Sarah Tayler whoe is unjustly freed which acc^con could not be determined till the said Bradnox was cleared of the death of Thomas Watson which being cleared yo^r pet^r humbly craueth such sattisfacc^con of Sarah Tayler and John White for such their false complaynts ag^t the said Bradnox with such their conspiracy and running away from their service to accomplish their unchristean designe as yo^r Honors shall seeme meete And she shall euer pray &c.

Bradnox v.
Taylor

The Opinion of the Board is that Mary Bradnox ought to haue releife ag^t Cap^t Robert Vaughan William Leeds and Nicholas Picckar if they haue wrongefully sett her Seruant free and to that end tis Ordered that M^r Henry Coursey and M^r Edward LLoyd doe examine the busines and certefye it downe to the next Pro^{all} Co^{rt}

To the hono^{ble} Charles Caluert Esq^r Leiuetenn^t Generall of the Prouince 1660, and yo^r pet^r still demanding his lawfull debts, and refuseing paym^t was forced at last to enter with him in lawe at the County Co^{rt} to yo^r pet^{rs} greate loss, and the def^t being one of the Com^{rs} in that Co^{rt} yo^r pet^{rs} cause would not be heard

Beane v.
Medley's
Estate
p. 1017

Wherefore yo^r pet^{rs} desire is that his Suite may be brought by yo^r hono^{rs} order to this Pro^{all} Co^{rt} and yo^r pet^r shall euer pray &c.

Vpon the peti^con abouesaid It is ordered that Coll Euans or some of the Adm^{rs} of John Medley doe appeare to answere the said James Beane his Suite the next Pro^{all} Co^{rt}

Present Cap^t Neale.

This cause in regard the def^t did not appeare is referred till tomorrow morning

Marmaduke
Snoue p
Attorn. Tho:
Turner v.

Ordered that the Attachm^t be released. Knowe all men by theis p^rsents that I Fobby Roberts resident and present in Boston New England Seaman haue for diuers good Causes me hereunto moueing made Constituted and appoynted and by theis p^rsents appoynt M^r Joseph Swett belong or any way appertayne unto me the said Roberts appeareing doe either by Contract, bargaine or accompt,

Thomas
Gerrard
William
Greene et
vx v. Fobby
Roberts p
Attorn.
Joseph
Swett

Liber
P. C. R.
p. 1018 In speciall giueing unto the aforesaid Joseph Swett my lawfull Attorney, full power to arrest impleade imprison, and as he shall see cause out of prison to deliuer, and upon receipt of any or all my due to signe and seale acquittance or acquittances in my name and behalfe, Alsoe to make and appoynte under him other Attorneys as he shall see cause, to acte in the p^rmisses and them againe to discharge, and what euer my said Attorney he or they shall lawfully doe or cause to be done concerning the p^rmisses, I the said Fobby Roberts doe by theis p^rsents rattifye confirme and allowe to stand good in as firme and ample manner as I my selfe might or could doe were I there personally p^rsent In wittness whereof I haue hereunto sett my hand and Seale this 12th day of February 1661 Fobby Roberts

Signed sealed and deliuered in the p^rsence of us Samuel Jewell
John Thwing

The Co^rt ajourned till 9 of the clock in the morning

Feb. 14

Fryday the 14th of February

Present All

Coursey v.
Manning

Vpon the Complaynt of Henry Coursey Esq^r ag^t Thomas Manning gent. that in the Co^rt by the fyre side the said Manning sayd the said Coursey was forsworne The said Henry Coursey desireth M^r Parker to be examined in the busines The said W^m Parker being duely sworne in open Co^rt sayth That he did heare M^r Manning say that the said Coursey was Forsworne, but whether he sayd he would proue it or not he remembreth not

p. 1019
Attorney
General v.
Vaughan

Then was called before the board Cap^t Robert Vaughan to answer unto a contempt ag^t his Lo^{ps} Gouvernm^t whoe being sorry for the same Ordered that he be forgiuen

Attorney
General v.
Russell

Then was called before the board Christopher Russell Ordered that the said Russell finde security for his good behaiour, and appearance to answer the next Co^rt

Attorney
General v.
Everett

Ordered that John Euerett pay the Sherriffes and Clarks fees and be dismiss

To the hono^{ble} the Gouverno^r and Councell of the Province of Maryland

Neale v.
Thompkin-
son

The humble peticoⁿ of James Neale Sheweth Whereas yo^r pet^r contracted with John Tompkinson to build him a howse of 25 foote long with two outside Chimneyes w^{ch} the said Tompkinson did promise and oblige himselfe to build sufficient and to be really worth one thousand pounds of tobacco for which yo^r pet^r gaue him bills for the said vallue before the howse was built confideing in his honesty to

performe and more gaue him one paire of Shoes and Stockins which cost 50th tobacco to sett vp two Bedsteeds but the said Tompkinson perceiueing himselfe sattisfyed hath soe slighted his worke that the house is not worth $\frac{1}{3}$ parte of the vallue, and the bedsteeds not worth anything alsoe hath consumed aboue 8 thousand of nayles, and the building might haue been done with less than halfe the Quantity

The p^rmisses considered yo^r pet^r craueth order of this Co^{rt} that the said Tompkinson may make yo^r pet^r sattisfaccōn for his damage and losse or build him a sufficient howse worth the said vallue and pay for the Nayles that he unnecessarily wasted and yo^r pet^r shall pray &c.

John Balch sworne in open Co^{rt} Sayth That when Tompkinson was driueing in Nayles into the howse if they did bowe or turne he would pull them out and throwe them away and further sayth not.

Henry Neale sworne in open Co^{rt} sayth That John Tompkinson Carpenter in building a howse did fling away Nayles on the Ground saying ther was worke for me to pick them up, and sayd he cared not if the howse was a fyre when he had done and further sayth not

To the hono^{bte} the Gouvernor and Councill of the Prouince of Maryland

The humble peticōn of Marks Pheypo Sheweth That y^r pet^r hath been left overseer of Adrige Potter the daught^r of Henry Potter deceased and hath been intrusted with his will to his daughter Adrige Potter therefore he desires that the said Adrige Potter may be putt into yo^r pet^{rs} possōn with all the Estate her father left her. And yo^r pet^r shall pray.

Ordered that Elizabeth Greene appeare at the next Provinciaall Co^{rt} to make answeare to the peticōn abouesaid.

To the hono^{bte} Charles Caluert Esq^r and the rest of the Councill

The humble peticōn of Marmaduke Snowe Sheweth That whereas Thomas Gerrard Esq^r standeth indebted vnto Abell Snowe yo^r pet^{rs} brother the Sume of one hundred ninety seauen pounds one shilling and nine pence of good and lawfull money of England as alsoe the full & iust Summe of thirty fiue thousand pounds of good and merchantable tobacco and caske, as by seuerall deeds under the said Gerrards hand and Seale sufficiently doth appeare And whereas the said Abell Snowe

The p^rmisses Considered yo^r pet^r humbly craueth order for the said Sumes of money and tobacco with forbearance & Costs of suite And yo^r pet^r shall pray &c.

Vpon the peticōn abouesaid It is ordered that the Sherriffe bring the body of Thomas Gerrard to the next Provinciaall Co^{rt} or take security to the vallue of the accōn, and stand to the awarde of the Co^{rt}

Liber
P. C. R.

p. 1020

Pheypo v.
Greene

Snow v.
Gerrard

p. 1021

Liber
P. C. R.
Attorney
General v.
Holt et al

The Jurors for the Lord Proprietary doth p^rsent Robert Holte of Greenes Poynte in S^t Georges Hundred in the County of S^t Marys Cooper whoe being form^rly p^rsented for marrying one Christean Bonnefeild (his owne lawfull wife Dorothy being still liueing) and being graciously pardoned for that offence att that tyme yett still the said Robert Holte not haueing the feare of God before his eyes doth still cohabite and incontinantly liue with the said Christean Bonnefeild Contrary to the forme of the Statute in that case provided and ag^t the peace of the Lord Prop^{rs} his rule and Gouvernm^t

Attorney
General v.
Hall

The Jurors for the Lord Prop^{ry} doth p^rsent Penelope Hall of Snowe hill Manno^r and in the County of S^t Marys Planter, Seruant That the said Penelope haueing had carnall knowledge with some person or other of evell behaiour was sometyme in December last brought to bed of a Bastard child to the euell example of others : the forme of the lawe or statute in that case provided and ag^t the peace of the Lord Prop^r his rule and Gouvernm^t

p. 1022 To the hono^{bte} the Gouvernor and Councell of the Prouince of Maryland

Hammond
v. Lord

The humble peticoⁿ of John Hammond Sheweth That yo^r pet^{rs} wife at the perswasion of Cap^t William Mitchell and Richard Hoskeys did confess a Judgem^t As Attorney ag^t yo^r pet^{rs} estate for six thousand pounds of Tobacco (for what Cause he knoweth not) to one John LLord a person altogether vnknowne unto him and by which Judgem^t he is lyable to be molested if not p^rvented

He humbly prayeth that this peticoⁿ with the oathe hereto annexed may be Entred upon Record as a Barre in case of any molestac^on for the same.

Alsoe he doth hereby signifye that for this and other reasons he doth hereby recall make uoyd and null all power of Attorneyship granted to her, and by her deriued to any other person or persons whatsoever which he likewise prayeth may be Entred And he shall pray

Walter Pake aged fifty three yeares or thereabouts sworne and Examined in open Co^{rt} the 12th of November 1661 Sayth That after the departure of John Hamond out of this Province he was p^rsent at a Co^{rt} houlden at Patuxent (William Fuller then ruleing the Country as Gouvernor) where M^{rs} Hamond one John Lord Cap^t Mitchell and Richard Hoskeys were Conferring together, There they perswaded the said M^{rs} Hamond to Signe a bill to the said Lord for six thousand pounds of tobacco, and desired him this depon^t to Wittness itt, which with much perswasions of the said partyes, he did, but would haue had the said Mitchell to haue wittnessed itt likewise who refused, replying I cannot wittness such a date because it is knowne I was not in the Country, the same replied the said Hoskins, This depon^t

further sayth that he reprobued and disswaded reason a Judgem^t that Co^{rt} for that six thousand pounds of tobacco mencōned in that bill as Attorney of her husband but with laying the matter very hard to the said M^{rs} Hammond how she had injured her selfe and husband in what was done, she tooke a noate from the said Lord and vnder his hand which he this depon^t wittnessed, but hath forgotten whether it was a bond or Release of the said Judgem^t And further he Sayth that the aforesaid bill although that day made Judgem^t was accknowledged, bore a date long before that tyme and further sayth not.

Liber
P. C. R.
p. 1023

Adjourn-
ment of
Court

The next Co^{rt} is appoynted the first Tewsday in June next.

Margarett Ward recordeth her marke of Cattle (vizt) two Heifers on the left eare the Flower de Luce and cropt on the right with a Nick under the Crop, and Ellinor Martyn the mother of the said Margarett giues the said two Heifers unto the s^d Margarett Ward; and her Children for euer, if she dyes without children then all the female Cattle that comes from those two Heifers are to be deuided into three parts the one parte to Tho. Ward the s^d Margaretts husband the other parte to Lodewick Martyn, and the other parte to Peter Wilson

Cattle Mark
of Margaret
Ward

John Little demands a writt to arrest James Jolly in an accōn of defamacon
idem dem^{ds} a writt to arrest James Jolly in an accōn

March 17th
1661/2
Little v.
Jolly

James Jolly dem^{ds} a writt to arrest John Little in an accōn of defamacōn

p. 1024
Jolly v.
Little

Idem dem^{rs} Subpa ad testificand Samson Warren and Griffyn George

Warr^t & Subpa mde to the Sherriffe of Calvert County ret. 1st day of the next Co^{rt}

Dauid Holte demands a writt to arrest Christean Bonnefeild in an accōn of Assaulte and Battery.

Holt v.
Bonnefield

Warr^t mde to the Sherriffe of S^t Marys County to arrest &c ret ut supra

Knowe all men by theis p^rsents that Nathaniell Utye of Spesutia in the Province of Maryland haue by theis p^rsents nominated Constituted and appoynted my loueing freind Henry Coursey of Lords Guifte in the aforesaid Province Merch^t my true and lawfull Attorney to bargain sell and for euer Convey away All that parcell of land knowne by the name of Mattapenny in Patuxent Riuer now in the possōn of M^r Richard Collett and Contayning seaven hund^d and fifty acres more or less To any person or persons whatsoever for the

Utye's
Power of
Attorney

Liber
P. C. R. Summe or Quantity of fifteene or foureteene thousand pounds of tobacco or one hundred and twenty pounds Sterling to which said Summe of tobacco or money alwayes to be and belong to me the said Nathaniell Vtye my heires Executors or Administrators And what my said Attorney shall doe or lawfully cause to be done I doe by theis p^rsents oblige my selfe my heires Executo^{rs} and Administrators to rattifye confirme and allowe as Wittnes my hand this 25th January 1661 Nath: Utye

In the p^rsence of Henry Stockett Jos: Wickes.

5^t Aprill
1662
Snow v. Gerrard Marmaduke Snowe demands a writt to arrest Thomas Gerrard in an accōn of the case to the vallue of thirty fue thousand pounds of tobacco and foureteene hundred pounds sterl.

Warr^t mde to the Sher[riff]

p. 1025 jdem dem^{ds} Subpa ad testificand Rob^t Clarke and James Neale to testefye &c.

Subpa mde to the Sherriffe of S^t Marys County ret (ut supra)

Simpson v. Batchelor Thomas Simpson demands a writt to arrest Francis Batchelor in an accōn of the Case warr^t mde.

Re Gerrard Knowe all men by theis p^rsents that I Thomas Gerrard of S^t Clements in the County of S^t Marys gent haue remised released, and for ever quitt Claymed, and by theis p^rsents doe for me my Executors Administrators and every of us Clearely and absolutely Remise release & for euer quitt Clayme The Right hono^{ble} Cæcilius Lord Baltemore Lord and Proprietary of this Province of Maryland his Executors and Assigns all and all manner of debts, dues, Bonds bills Obligatory Reckonings Accompts and demands whatsoever which ag^t the said Cæcilius Lord Baltemore ever I haue had may haue or which I my Executors or Administrato^{rs} or any of vs att any tyme hereafter shall or may haue for or by reason or meanes of any matter Cause or thing whatsoever from the beginning of the world untill the day or date of these p^rsents either within or without this Province Wittness my hand & Seale this Eleauenth day of Aprill in the yeare of our Lord 1662 Tho: Gerard

Signed Sealed and deliuered in the p^rsence of us Dan Jenifer Marmaduke Simme

Neale v. Thompkin-son Cap^t James Neale dem^{ds} a writt to arrest John Thompson at^s Cheshire in an accōn of the case

Warr^t mde to the Sherriffs of S^t Marys or Calvert Countys to arrest &c.

Coursey v. Manning Henry Coursey Esq^r demands a writt to arrest Cap^t [Thomas] Manning in an accōn of defamacōn to the pounds of tobacco Calvert County to arrest

This day came M^r William Bretton and desired the ensuing to be recorded (vizt)

Ad perpetuam rei memoriam

Forasmuch as divers good and Zealous Roman Catholick Inhabitants of New Towne and S^t Clements Bay haue unanimously agreed amongst themselves to erect and build a Church or Chappell whether they may repayre on Sundays and other Holy dayes appoynted and Comanded by holy Church to serue Almighty God and heare divine Service, And the most Convenient place for that purpose desired and pitcht upon by them all, is on a certaine parcell of the Land belonging to William Bretton Gent Now Knowe yee that I William Bretton of Little Bretton in the County of S^t Marys in the Province of Maryland gent, with the hearty good likeing of my dearely beloued wife Temperance Bretton, To the greater hono^r and Glory of Almighty God the euer immaculat Virgin Mary and all Saints haue given and doe hereby freely & for euer give to the behoofe of the said Roman Catholick Inhabitants and their Posterity or Successors Roman Catholicks soe much land as they shall build the said Church or Chappell on which for their better Convenience they may frequent to serue Almighty God and heare divine Service as aforesaid with such other land adjoyning to the said Church or Chappel convenient Likewise for a Church yard wherein to bury their dead Conteyning ab^t one acre and halfe of Ground Scituate and lying on a devident of land called Bretons Out Lett, and on the Easte side of the said devident neere to the head of a Creeke called S^t Williams Creeke which falleth into S^t Nicholas Creeke and neare unto the narrowest place of the freehould of Little Brittain

Tenth day of November Anno domini 1661 W^m Bretton Temperance Bretton

Delivered and Signed and Sealed in the p^rsence of W^m Euans James Thompson Luke Gardnor Robert Cole

Memorandum that this 6th day of May Came Marmaduke Snowe and in the p^rsence of Philip Calvert Esq^r Chancellor of this Province did deliuer vnto Cap^t James Neale certaine papers in trust to be p^rduced againe by the said Neale att what tyme soeuer the said Snowe shall demand them; vizt. A paper Endorsed 19th June 1640, A Recognizance accknowledged before the Lord Baltemore by Thomas Gerrard to Abell Snowe of the penalty of 1000^l another endorsed 19 June 1640, A Coppy of a Recognizance certefyed by M^r Robert Helway to be upon record by Thomas Gerrard to Abell Snowe of the penalty of 1000^l another endorsed 27^o June 1642 A Coppy of a deed of gift made by Abell Snowe to Edith Snowe of 35000^l Tobacco 194th in money due by Thomas Gerrard to Abell

Liber
P. C. R.
p. 1026
Aprill the
12th 1662
Bretton's
deed to
Roman
Catholic
Church

p. 1027

May 6th 1662
Snow
v. Gerard

Liber P. C. R. Snowe another Endorsed 1st June 1649, Coppy of a deed made by Edith Snowe to Marmaduke Snowe, another Endorsed 19^o June 1640 Coppy of a deed of M^r Thomas Gerrard to M^r Abell Snowe com. his Estate in Maryland another endorsed 5th October 1640 Coppy of an Acc^o Betweene M^r Gerrard and M^r Abell Snowe another Endorsed 19 June 16 Car. Anno dñni 1640 A Coppy of a Defeazance vpon 2 Recognizances.

May 15th Henry Heylyn Attorney of Thomas Wynn dem^{ds} a writt to arrest
Wynn v. Vincent Atcheson in an accōn of debt to the vallue of 60th of Beaver
Atchison Warr^t mde to the Sherriff of S^t Marys County
Re Black W^m Black dem^{ds} Subpa to Sumons Daniell Grymes Francis
Cole, Edward Chickin, Thomas Francis Fisher to Kedger.

p. 1028 Sarah Taylor demands a writt to arrest Thomas Courtney in an
Taylor v. accōn of defamacōn to the vallue of 10000th Tobacco
Courtney Warr^t mde to the Sherr: of S^t Marys County to arrest &c. ret
ut supra

Tilney v. Anne Tilney dem^{ds} a writt to arrest Vincent Atcheson in an accōn
of debt
Atchison Warr^t mde to the Sherr of S^t Marys County to arrest &c.

Abington v. John Abington dem^{ds} a writt to arrest Vincent Atcheson in an
Atchison accōn of debt
Warr^t mde to the Sherr. of S^t Marys County &c.

Bushell v. William Bushell dem^{ds} a writt to arrest Daniell Clocker George
Dent Macckall, and W^m Hatton Executors to Coll Price in an accōn of
et al. the case
the case
Warr^t mde to the Constable,

Gerrard v. Thomas Gerrard dem^{ds} a writt to arrest George Renolds in an
Reynolds accōn of debt
Warr^t mde to the Sherriff of S^t Marys County

Lee v. Hannah Lee demands a writt to arrest Vincent Atcheson in an
Atchison accōn of the Case
Warr^t mde to the Sherriff of S^t Marys County &c

Re Nuttall John Nuttall demands a Subpa, to Sumons Humphry Warren
and Vincent Atcheson Subpa mde

Snow Memorandum this 3^d day of June came Marmaduke Snowe and
v. Gerrard demanded those severall papers deliuered to Cap^t James Neale, on

Liber
P. C. R.

May 20th
Cornwaleys
v. —————

p. 1029
June 3

Snow
v. Gerrard

p. 1030

Liber
P. C. R. of the Manno^r of Snowe hill, And wee doe grant vnto the said Abell Snowe and his heires that he or they for ever hereafter shall and may haue hould vse and Enioye within the said Manno^r a Courte Leete and Court Barron with all things therevnto belonging according to the most vsuall forme and Custome of England. Given vnder our greate Seale of our said Province att S^t Marys this 12th day of February in the yeare of our lord 1640 Wittnes our said Deare Brother &c. Leonard Calvert

I Marmaduke Snowe of Ferny hill in the County of Stafford gent, doe this thirteenth day of September 1659 Surrender to the Right Hono^{bte} Cæcilius Lord Barron of Baltemore Lord and Proprietary of Maryland, All my right tytle and interest to this Pattent or Grant of Snowe hill in Maryland, and all the land and aptñces therein mencōned together with the Grant and Pattent itt selfe.

Marmaduke Snowe

Surrendred and subscribed in the p^rsence of us Ph: Darnall Jo: Langford Cecill Langford Tho. Charnly Rich. Burke

John Langford and Cæcill Langford of London gent, doe make oathe that this is a true Coppy of a Grant or Pattent beareing date the tweluth day of February 1640 and that they did see Marmaduke Snowe of ferny hill in the County of Stafford gent, surrender and deliuer vp the Originall grant or Pattent to the Right hono^{bte} Cæcill Lord Baltemore and that both these depon^{ts} names subscribed as wittnesses to the said Surrender are their owne p^per hand wrytings and that this is a true [copy] thereof

p. 1031 Sworne by . . . the 15th day . . .

And Marmaduke Snowe being demanded by the Co^{rt} whether the afore recited Surrender was made by him or not Answered itt was.

Sheriff's
Returns Then the Sherriff of S^t Marys County returned all his writts Executed, only George Reynolds (non est Inventus) The Sherriff of Calvert County all executed

Neale v.
Thompkin-
son Knowe all men by theis p^rsents that I John Thompson carpinter of Charles County doe hereby authorise my loving freind John Wheeler Planter of the said County doe Constitute and ordeine my lawfull Attorney to craue A Refference for me till the next Pro^{all} Co^{rt} as Wittnes my hand 29th May 1661

Testes Thomas Robinson Henry Franckum

†

John Tompkinson his
marke

Ordered that the Sherriff haue another warr^t ag^t Tompkinson; and th^t he take security of the said Tompkinson to appeare att the next Provinciall Co^{rt} and stand to the Award of the Co^{rt}

The plt sues for nine hundred pounds of tobacco, due by specialty from the def^t which specialty is as followeth.

This bill bindeth me Vincent Atcheson my heires Ex^{rs} and Assigns to pay or cause to be payd unto Dauid Abercromby his heires Executors or Assigns the Sume of nine hundred pounds of good bright and large sound Maryland able new Tobacco, and Caske of this p^rsent Cropp and that to be payd Betwixt the date of this Bill and the last next comeing, or att any other Tearme or where itt shall happen the said Dauid the same In Wittness of this 16th day of Aug Atcheson

Liber
P. C. R.
Capt James
Neale
Adm^r of
David
Abercromby
dec^d v.
Vincent
Atcheson

To the hono^{bte} the Gouvernor and Councill of the Prouince of Maryland p. 1032

The humble peticōn of John Abington Attorney of Thomas Cornwallis Esq^r Humbly sheweth That Vincent Atcheson doth owe unto the said Thomas Cornwallis fiteene pounds and a halfe of Beauer three hundred and thirty pounds of Tobacco and Caske by noate and forty six pounds of Beauer upon Acc^o

Cornwaleys
v. Atchison

Yo^r pet^{rs} humble request is that he may haue an order of this hono^{bte} Co^{rt} for his debt with charge of Suite and damage of non payment And he shall pray &c.

Accounted with Thomas Cornwallis the day aboues^d and I acknowledge my selfe Debtor to him fiteene pounds and a halfe of good well furred wynter Beaver in Season, and foure hundred thirty six pounds of good sound Leafe Tobacco according to the Act of Assembly wth Caske Wittnes my hand Vincent Atcheson

May the
9th 1661

Wittnes John Abington

Rec^d in parte of this bill 106th of tobacco Feb. 3^d 1661

The plt sues p[ro]ut in pet: The def^t Confesses a Judgem^t for the aboue mencōned Sumes.

To the hono^{bte} the Leiutenn^t Generall & Councill of Maryland

The humble peticōn of [Thomas Wynne] Sheweth other furrs as he the said Wynn should approue off and alsoe one hundred and Eight muske ratt skins to be payd vpon all demand after the date of the said bill as by the said bill (relacōn being thereunto had) att large appeareth Yett now soe itt is may itt please yo^r honors that yo^r pet^r haueing twice demanded the said debt of the said Uincent he utterly refused to sattisfye the same contrary to lawe and Equity, Yo^r pet^r therefore humbly craues Judgem^t vpon the said bill and he as in duty bound shall ever &c.

Wynne v.
Atchison
p. 1033

Knowe all men by theis p^rsents that I Thomas Wynn haue assigned and ordeined and made, and in my stead & place by theis p^rsents

Liber
P. C. R. Constituted my trusty and welbeloued freind Henry Heylyn of S^t Marys in the Province of Maryland gent, to be my true and lawfull Attorney for me and in my name, and to my vse, to aske sue for, Leaue recouer require and receive all and every such debts & sumes of money as are now due vnto me, or which att any day or dayes tyme or tymes hereafter shall be done, oweing belonging or appertayning vnto me by any manner of wayes or meanes whatsoever from any p^rson or p^rsons whatsoever Giuing and Granting vnto my said Attorney by theis p^rsents, my full & whole power and authority in and aboute the p^rmisses, and upon the receipt of any such debts and Somes of money aforesaid acquittances or other Discharges for me and in my name, to make seale & deliuer and all and every other Act and Acts thing or things device or devices in the lawe whatsoever needfull or necessary to be done in or aboute the p^rmisses for the Recouery of all or any such debts or sumes of money as aforesaid for me and in my name to make Seale and deliuer and all and every other Act and Acts thing or things device or devices in the lawe whatsoever needfull or necessary to be done in or aboute the p^rmisses for the Recouery of all or any such debts or Sumes of moneys as afores^d for me and in my name to doe execute & performe as fully largely and amply in every respect to all intents Construccōns and purposes as I my selfe might or could doe if I were p^rsonally p^rsent, Rattifying allowing and houlding firme and stabell all & every such Act thing or things device or devices in the lawe amply as I my selfe Wittnes my hand this

p. 1034 This Bill bindeth me Vincent Atcheson my heires Executors Administrators and Assigns to pay or cause to be well and truly payd unto Thomas Wynne his heires Executors or Assigns the full and just Summe of thirty fve pounds of good wynter Beauer Killed in Season, and the vallue of twelue pounds of the like Conditioned Beauer in other furrs to the likeing of the said Thomas Wynne and one hundred and Eight muske Ratts Skynns to be payd upon all demands after the date hereof as Wittnes my hand this 5th of December 1661

Vincent Atcheson

Wittness Nicholas Gwyther John Raynolds.

Ordered that the p^rt haue judgm^t ag^t the def^t for the whole sumes in the peticōn mencōned unles the def^t within tenn dayes doe proue before the Leiutenn^t Generall that he hath sattisfied foure pounds thereof

To the hono^{bte} the Gouvernor and Councell of the Prouince of Maryland

The humble peticōn of John Abington Attorney of M^{rs} Anne Tilney Humbly sheweth That Vincent Atcheson doth owe unto the said Anne Tilney Twenty seaven pounds of Beauer and six hundred sixty five pounds of tobacco & Caske by bills

Yor pet^{rs} humble request is that he may haue an order of this hono^{ble} Co^{rt} for his debt with forbearance and Charge of suite hundred Seaventy and Seaven pounds of good sound large and bright tobacco and Caske without Ground Leaues or Seconds all of my owne Cropp Att or before the tenth day of November next Ensueing the date hereof As Wittnes my hand this 12th October 1660

Vincent Atcheson

Wittness John Abington The marke of X Edward West.

Rec^d in parte of this bill Eight hundred and twelue pounds of Neate Tobacco

This Bill bindeth me Vincent Atcheson my heires Executors Adm^{rs} and Assigns to pay or cause to be payd vnto Anne Tilney of the Cross her heires Executors or Assigns the full and just Sumē of Seaventeene pounds of wynter beauer killed in Season to be payd att the Cross in S^t Georges Riuer att or before the tenth day of March next ensueing the date hereof As Wittnes my hand 23^o Aprill 1660

Vincent Atcheson

Wittnes Edward West his X marke Richard Willan

More due upon this bill tenn pounds of the like Conditioned Beaver Wittnes my hand

Vincent Atcheson

The p^{lt} sues prout in pe^t The def^t Confesses Judgem^t for the aforesaid Sumes.

To the hono^{ble} the Gouvernor & Councell

The humble peticōn of Hannah Lee is indebted p Sumē of one and

Lee v.
Atchison
p. 1036

This bill binds me Vincent Atcheson of S^t Marys County in the Province of Maryland my heres Executors and Administrators to pay or cause to be payd unto Hugh Lee of S^t Marys aforesaid Inholder, his heires Executo^{rs} Administrators or Assigns the full and just Sumē of fourteene hundred and Eight pounds of good and legall tobacco with Caske att some Convenient place in S^t Marys County aforesaid vpon demand As Wittnes my hand this seaventeenth day of October 1661

Vincent Atcheson

Wittness W^m Sandford W^m Price

Liber	1661	Mr Atchison D ^{rs}	
P. C. R.			
8 ^r	28 th	Three Gallons Syder and two Gallons Perry	110
		one Pottle Metheglyn	032
		one Gallon Beere	020
9 ^{br}	11 th	Two pottles of Metheglyn	064
		five Bottles Brandy 1 dyett	110
		Two bottles brandy and two gallons beere & 1 dyett	090
		M ^{rs} Packers Servant one dyett	010
		1 pottle of beere	010
	26 th	3 quarts of sack	0 th 7 ^s 6 ^d
		1 dyett one Gall beere	030
N ^{br}	24 th	Nicholls 2 dyetts	020
		Nine Quarts of sack	108
		one Quart of sack & 2 bottles of dramms	052
Feb.	11 th	one bottle of spirrits	050
		one dyett	010

Payd foure Barrells of Corne

p. 1037 At a Court held at New Towne for the County of S^t Marys the Eleauenth day of March 1661

Present Coll W^m Evans } M^r Luke Gardner
M^r Tho Dent } M^r Richard LLoyd } Com^{rs}
M^r Rich. Willan }

John Abington Attorney of Henry Corbyn v. Mr Thomas Turner Adm^r of W^m Johnson
M^r John Abington Attorney of the p^{it} sues a bill of the def^{ts} the def^t pleades that itt was none of M^r Johnsons hand, and desires that the bill may be proued or else craues a non suite whereupon the p^{its} Attorney Craues an Appeale to the next Pro^{all} Co^{rt} which is granted
Walter Hall Clre:

To the hono^{bte} the Gouvernor & Councell of the Prouince of Maryland

The humble peticōn of John Abington Attorney of M^r Henry Corbyn Humbly sheweth That William Johnson late of this Province dec^d doth owe unto the s^d M^r Corbyn three hundred & seaventy pounds of tobacco and Caske by specialty

Yor pet^{rs} humble request is that he may haue an order of this hono^{bte} Co^{rt} for his debt with forbearance and Charge of suite And he shall pray &c.

Knowe all men by theis p^rsents that I William Johnson of S^t Clements bay Planter doe owe and am indebted unto Henry Corbyn of London Merch^t the full and just Summe of three hundred and seaventy pounds sound merchantable tobacco and Caske to be Henry Corbyn att or upon the 25th day and for the true & Johnson doe

The plt sues p[ro]ut in peticōn The def^t pleads that itt is none of Mr Johnsons owne proper hand whereupon the plt desires itt may be putt to a Jury. Liber
P. C. R.
p. 1038

Warr^t to the Sherriff of S^t Marys to impannell a Jury

The Sherriff returned his writt and warned

Humphry Warren	}	John Reade	}	George Macckall
Vincent Atcheson		Daniell Clocker		W ^m Hatton
John Wheeler		Joseph Harrison		Andrew Cooke
Robert Kingsbury		Richard Bennett		W ^m Brookes

Humphry Warren Foreman being swore with the rest aboue mencōned withdrew, and after some tyme returned their Verdict Endorsed on the back side of the bill vizt, Wee finde the name to the bill to be the hand of W^m Johnson, whereupon It was ordered that the def^t pay the aboue mencōned Sume vnto the plt

To the Right hono^{bte} the Gouvernor & Councell of Maryland

The humble peticōn of Henry Francomb Sheweth That whereas John Wheeler sould to yo^r pet^r three hundred and fifty acres of land as by bill of sale more fully appeares for which yo^r pet^r has given good sattisfaccōn, Yo^r pet^r humbly Craues that yo^r honors may be pleased to command the said Wheeler to make good his said bill of sale and justly convey the said land to yo^r pet^r for which he has rec^d good sattisfaccōn And yo^r pet^r shall pray Thos.
Manning
Attorney of
Henry
Francomb v.
Wheeler

Knowe all men by theis p^rsents that I John . . . of Charls County in the . . . Called Naufernick Creeke, I the said Wheeler doe binde my selfe my heires Ex^{rs} Adm^{rs} or Assigns to deliuer a firme Pattent for the said land att or before the tenth of October next to the said Francomb and Robinson or either of them Wittnes my hand 11th Sep^t 1650 p. 1039

The mke † W of John

Wittness Joseph Harrison J^{no} C Nevill his mke Wheeler

The ple sues f[or a] parcell of land p[ro]ut in bill of sale The def^t alleages that he did deliuer a pattent which they did accept off in full sattisfaccōn of that bill of sale and Craues tyme till the next Co^{rt} to proue this

Ordered that he doe proue itt by the next Pro^{all} Co^{rt} and the poynte of the issue to be whether they did accept itt or not.

The Executors of John Medley is to answeare this Suite the next Co^{rt} James
Peon v.
Coll.
Euans

To the Right hono^{ble} Gouvernor Chancellor & Secr^{rs} of the Province of Maryland and to the rest of their hono^{ble} Councell of the s^d Province Thompson
v. Gerrard

The humble peticōn of George Thompson Sheweth Whereas yo^r pet^r intimated unto M^r Thomas Gerrard that he wanted some rights

Liber of land the said Gerrard thereupon proffered to sell vnto yo^r pet^r
 .P. C. R. the rights of five thousand acres of land which as he alleadged unto
 yo^r pet^r was due unto him whereupon yo^r pet^r bargained
 with him some- in the yeare of our lord 1659 for some-
 p. 1040 tymes in Aug. . . . be betweene two or three thousand acres of good
 land of itt, for which very tract yo^r pet^r bought the Residue of the
 afores^d rights of five thousand acres of land & the rights for 350
 acres of land which Rights the said Gerrard had for 7 of his Serv^{ts}
 transportacōn into this Province, and the tyme Lymited yo^r pet^r for
 sattisfaccōn for the fore mencōned rights more att large will appeare
 by yo^r pet^{rs} severall bills deliuered into the Clarks office att the
 Penultima Pro^{all} Co^{rt} Att which Co^{rt} the said Gerrard sued yo^r pet^r
 & obteyned an order of Co^{rt} for the said tobacco, where yo^r pet^r sued
 alsoe the said Gerrard in an accōn of the Case for the performance
 of his Condiçōn contracted with yo^r pet^r where itt was alsoe ordered
 that the s^d Gerrard should make good vnto yo^r pet^r the said Rights
 of five thousand acres of land the performance whereof yo^r pet^r
 afterwards demanded of the said Gerrard, and as yett remayneth
 vnperformed whereupon yo^r pet^r not haueing his damages adjudged
 and ordered by yo^u (most renowned fathers of this Province) could
 not demand an Execucōn upon the said order of Co^{rt} but to yo^r pet^{rs}
 greate losse and damage; as more att large will appeare by the
 Subsequent lines for after yo^r pet^r had an Assignm^t for the fore-
 menconed rights of three thousand three hundred & fifty acres of
 land yo^r pet^r came downe unto the then Secretarys office for a
 warr^t for the said rights, but the then Secretary now Chancellor of
 this Province would not grant unto yo^r pet^r a warr^t for the s^d rights
 of three thousand acres of land the remaynder of the before men-
 coned five thousand, but shewed yo^r pet^r a paper from M^r Marma-
 duke Snowe to clayme the rights of land granted unto his brother
 M^r Abell Snowe by speciall warr^t from the Right hono^{ble} the Lord
 Prop^{ty} of this Province of Maryland which were the rights before
 mencōned of five thousand acres of land sould by the said Gerrard
 unto yo^r pet^r and for the defaulte of the s^d warr^t by reason of the
 said Gerrards un- to the said rights of yo^r pet^r formerly
 p. 1041 tooke up and the water side besides the damage yo^r pet^r hath sus-
 teyned by the depriuacōn of takeing up of the residue of the fore
 mencōned rights w^{ch} might haue redowned much to yo^r pet^{rs} proffitt
 all which yo^r pet^r humbly craues to haue bin his apparant yett
 recouerable damage.

The p^rmisses therefore being taken into yo^r hon^{ble} serious con-
 sideracōns yo^r pet^r most humbly craueth an order of Co^{rt} whereby the
 said Gerrard may be enforced to purchase the aboue mencōned Seates
 of land & possess yo^r pet^r his heires & Assigns for ever therewth and
 that the said Gerrard by vertue of the s^d order of Co^{rt} may be bound
 his heires Ex^{rs} Adm^{rs} & assigns vnto yo^r pet^r his heires Ex^{rs} Ad^{rs}
 and Assigns in a bond of three hund^d pounds sterl. money to warrant

& defend the said land for yo^r pet^{rs} heires Ex^{rs} Adm^{rs} & Assigns Liber
 peaceable & quiett possōn thereof for ever & of every pte & parcell P. C. R.
 thereof without lett or molestacōn & this att their owne proper Cost
 & charge of lawe ag^t all clayme or claymes w^tsoever or else to pay or
 cause to be payd vnto yo^r pet^r his heires Executors Adm^{rs} or As-
 signs by him the s^d Gerrard his heires Ex^{rs} Ad^{rs} or assigns the full
 & iust Sumē of twenty thousand pounds of good sound merchantable
 leafe tobacco and Caske pitcht and Culed from ground leaves &
 seconds att or upon the 10th Sept. next ensueing the date hereof in
 some Convenient place or places of Charls or S^t Marys Countys And
 yo^r pet^r &c.

Reffered till next Co^{rt}

Richard Cragbone The Administrator of Thomas Elston desires Re Elston's
 a Quietus of the Estate of the said Elston, It is therefore ordered Estate
 that any person that shall p^ttend to any Credit to that Estate doe
 come in and make itt appeare before the next Co^{rt} other wise a
 Quietus est to be granted and that this be affixed att the Co^{rt} doore.

John Gittings Clre.

Wednesday the 4th of June 1662

June 4
 p. 1042

Present The Leiutenn^t Generall Philip Calvert Esq^r deputy Leiut^t
 Henry Sewall Esq^r Secretary Robert Clarke Baker Brooke and John
 Bateman Esq^{rs} Councillors

Then was called Thomas Wright Indicted for hogs stealeing by Attorney
 the Grand jury General v.
 Wright

The Sherriff makes Proclamacōn (vizt)

If any person or persons whatsoever can giue any Evidence ag^t
 Thomas Wright, on the behalfe of the Lord Proprietary, for the
 Prisoner stands upon his Justificacōn.

Proclamacōn being made three tymes, and noe man appeareing to
 prosecute, The Prisoner is cleared by Proclamacōn

Knowe all men by theis p^rsents that I John Sinkler and Robert Devorax
 Kingsbury doe Engage our selues to binde over both our Estates for Browne p.
 the sattisfaccōn of a debt of twelue thousand three hundred Seaventy Attorn. Jno.
 foure pounds of Tobacco and Caske And wee both doe Engage our Bateman v.
 selves to give bond, and to owne the same bond the next Co^{rt} As Sinkler &
 Wittnes our hands this 26th of February 1660 Bond being taken and Kingsbury
 owned in Court this to be voyd and none Effect

John † S Sincler his marke

Rob^t K Kingsbury his marke

Testes James Veitch John Sutton:

Ordered that they doe giue bond according to the Tenor of the
 Obligacōn produced in Co^{rt}

Liber Lord 1640 accknowledge and Confess Judgem^t before the
 P. C. R. Right Hono^{ble} the Lord Baltemore Lord and Proprietary of this
 Snow p. Province of Maryland vnto Abell Snowe yo^r pet^{rs} brother, to the
 Attorn. vallue of one hundred seaventy Eight pounds nine shillings and
 Thos. nine pence of good and lawfull money of England, and thirty five
 Turner v. thousand pounds of tobacco and Caske which Judgem^t is yett wholly
 Gerrard unsatisfyed. And whereas the abouesaid Gerrard is further in-
 p. 1043 debted unto the aforesaid Abell the Sum^s of Eighteene pounds and
 foure shillings more as by Endorsement on the said Judgem^t under
 the s^d Gerrards hand manifestly appeareth beareing date the Eleau-
 enth of October in the yeare of our lord aboue mencōned.

which said Sum^s of money and tobacco the aforesaid Abell
 Snowe did giue and bequeathe unto Jdith Snowe yo^r pet^{rs} mother
 who out of her motherly affeccōn was pleased to Conferr her Right
 in the p^rmisses upon yo^r pet^r Wherefore yo^r pet^r humbly craueth
 Execucōn vpon the said Judgem^t of one hund^d seaventy Eight pounds
 nine shillings nine pence sterling money, and thirty five thousand
 pounds of tobacco and Caske and order for the afores^d Sume of
 Eighteene pounds foure shillings wth costs of Suite and damāges to
 the vallue of Eleaven hundred pounds sterling And he shall euer pray

An Exact and perfect noate how all Accompts stande betwixt my
 brother Thomas Gerrard of S^t Clements Iland in the Province of
 Maryland gent, and me Abell Snowe of Cursitars office in Chancery
 Lane London this 5^t of October 1640 as followeth

Impr. Lent my Brother Gerrard in ready money since his arrivall
 in England when he came over in the Shipp Blessing: lxixth

It. I haue payd for him several Comodityes for	}	lb.	s.	d.
his Voyage to Maryland besides the Custome		lxxvij:	x:	xl:
Impost of xxij hogsheads of tobacco w ^{ch}				
for seual	}	lb.	s.	d.
		xxxl:	xvij:	x:

p. 1044 Whereas my Loving Brother Abell Snowe of Cursitars Office
 hath Lent disbursed and Engaged himselfe to pay the severall Sumes
 aboue mencōned (being one hundred seaventy eight pounds Nyne
 and nine pence) To and for my vse in setting me forth with a Con-
 venient Supply to Maryland, Now knowe all men by theis p^rsents
 that I Thomas Gerrard of S^t Clements Iland in the Province of
 Maryland gent, doe binde me my heires Executors and Administra-
 tors in the penall Sume of five hundred pounds of lawfull English
 money to consigne and send to the said Abell Snowe or his Assigns,
 within two yeares next after the date hereof Such a convenient
 Quantity of Beauer or tobacco or both as shall satisfye him fully for
 the moneys disbursed as is aboue specified, besides thirty five
 thousandth weight of good and merchantable tobacco of Maryland
 which I hereby likewise accknowledge to owe him, And when he is

fully sattisfyed and payd This Obligacōn is to be voyd and of none Effect, but till then itt is to stand and remayne in full force Effect & vertue In Wittness whereof I haue hereunto sett my hand and Seale the 5^t day of October 1640

Thomas Gerrard

Sealed & deliuered by the aboue bounden Thomas Gerrard in the p^rsence of Tho: Cornwallleys Jo: Langford Ro^b: Euelin.

Prefat. Thomas Gerrard sigillauit et delibauit hoc presens Scriptum die et anno dat. p^rsentium coram me et recognouit, hoc computum fuisse uerum et maxime justum

C Baltemore

I doe hereby Certefy that this is a true Coppy of an Acc^o betweene the s^d Abell Snowe and Thomas Gerrard Sealed deliuered and ackknowledgeed by the said Thomas Gerrard as afores^d in the p^rsence of

C Baltemore

Likewise my said Brother Abell hath sent & adventures two peeces of blew tradeing cloth by me which I am to make him a returne of, the Cloth cost xyth—inj^s Also M^r John Army hath sent just the like Adventure by me w^{ch} I am to accompt to him for likewise, Wittnes my hand the day and yeare aboue written

Tho. Gerrard

Wittnes hereunto Rob^t Styles Valerius Sutton

This is a true Coppy examined by me

Will^m Fynney

Thomas Cornwallis of the Cross in Maryland in America Esq^r and John Langford of the pish of S^t Clement Danes in the County of Middē gent, doe make oathe th^t this is a true coppy (by them now lately examined of an acc^o beareing date the fift of October 1640, And that they were p^rsent & did see the within named Thomas Gerrard Signe seale and deliuer the said Acc^o beareing date as afores^d) and that these depon^{ts} names subscribed therevnto as wittnesses are their owne proper hand wryting

Tho: Cornwallys John Langford

Both these depon^{ts} sworne to the truth hereof the 13th day of Sep^t 1659 before me Robert Keylway one of the Masters of the Chancery of England in ordinary

Rob^t Keylway.

This Indenture made the nineteenth day of June in the sixteenth yeare of the Raigne of our Souaigne Lord King Charls by the grace of god of England Scotland France & Ireland defender of the fayth &c. Betweene Abell Snowe of Cursitars office in Chancery Lane London gent, on the one parte and Thomas Gerrard of New hall in the County of Lancaster gent, late of S^t Clements Iland in the Province of Maryland in the parts of America on the other parte Wittnesseth [that] Thomas Gerrard for diuers good causes & Snowe which he doth hereby ackknowledge himselfe to owe and to be Indebted to the said Abell Snowe, his heires Executors Adm^{rs} and Assigns doth by theis p^rsents bargaine sell give grant, alien, assigne and sett over vnto the said Abell Snowe his heires Executors Adm^{rs} and Assigns all those his Plantacōns called by the severall

Liber
P. C. R.

p. 1045

p. 1046

Liber names of S^t Clem^{ts} Iland, S^t Katherines Iland, Porkehall and Ashton
 P. C. R. within the said Province of Maryland And all the Lands Tenem^{ts}
 hereditam^{ts} howses Outhowses buildings and other Apt^{nces} there-
 vnto belonging scituate lying and being in the Province of Maryland
 aforesaid in as ample and large manner, to all Intents and purposes
 as he now doth or might haue hould or Enjoye the same, And alsoe
 the said Thomas Gerrard for himselfe his heires Executo^{rs} and
 Adm^{rs} doth further by theis p^rsents bargaine Sell give Grant, alyen
 assigne and sett over unto the said Abell Snowe his Executors Adm^{rs}
 and Assigns all and singuler his goods chattles moueable and vn-
 moueable Servants househould stuffe, money Plate Jewells Tobacco
 Cattle hoggs Poultry debts dues, and all other his Estate whether
 reall or personall whatsoever, whether it be in the Kingdome of
 England, or in the Province of Maryland aforesaid, To haue and to
 hould all and singuler the afore recited p^rmisses to the said Abell
 Snowe, his Executors Adm^{rs} and Assigns for ever To the vse and
 behoofe hereafter in theis p^rsents expressed, namely that if itt soe fall
 out that he the said Thomas Gerrard should happen to dye or departe
 this naturall life before he haue well and truly sattisfied and payd
 the said thirty five thousand pound weight of tobacco aboue ex-
 pressed and Caske in such manner and forme as is expressed in two
 Indentures of defeazance beareing date with theis p^rsents, And every
 parte and parcell thereof that then the said Abell Snowe shall haue
 hould and Enjoye the one moyety of all the aboue recited p^rmisses
 To his owne proper vse and behoofe And the other moyety to the vse
 of Susanna the now wife of the said Thomas Gerrard for and
 during her naturall life and after her decease to the heires of her
 body begotten or to be begotten on her body by the said Thomas
 p. 1047 Gerrard for ever And the said Thomas Gerrard Executors
 Administrators and Assigns That he the said Abell Snowe shall and
 may haue hould possess vse occupy and quietly and peaceably enjoy
 All the fore recited p^rmisses to the vses aforesaid To the said Abell
 Snowe his heires Executors Administrators & Assigns or against
 any other p^rson or persons whatsoever Clayming by from or vnder
 him, or by vertue of any right Tytle or Interest derived from him,
 And he doth further hereby revoake disanull and make voyd any will
 deed or other Instrument whatsoever formerly made concerning theis
 recited p^rmisses or any p^rte thereof whether they be in England or
 in the Province of Maryland [the] said Thomas Gerrard for him
 his heires [Exec^{rs}] Adm^{rs} and Assigns doth further covenant and
 grant to and with the said Abell Snowe his heires Executors Adm^{rs}
 and Assigns that he and they will warrant and defend the said
 p^rmisses and every p^rte thereof To the said Abell Snowe his heires
 Executors Adm^{rs} and Assigns for ever ag^t any person or persons
 whatsoever. And that he and they shall saue and keepe the p^rem-
 isses and every parte thereof clearely free and Exonerated & dis-

charged of and from all or any former bargaines Sales Mortgages Judgem^{ts} Execucōns guifts wills or any other Incumbrances whatsoever, And that the said Abell Snowe shall from tyme to tyme freely haue hold occupye possess and Enjoy and dispose of all the before recited p^rmisses to him his heires Executors Adm^{rs} and Assigns for ever To the vses aforesaid In Wittness whereof both the partyes to theis p^rsents haue Interchangeably putt their hands and Seales the day and yeare first aboue written Anno Du^mi 1640

Thomas Gerrard

This is a true Coppy examined by me W^m Fynney:

John Langford of the parish of S^t Clements Danes London gent: aged aboute sixty yeares maketh oathe that this is a true Coppy (by him now lately examined of a deed beareing date the 19th day of June in the sixteenth yeare of the late King Charles, And that he this depon^t was did see the abouesaid Thomas Gerrard p. 1048

I doe hereby certefye that this is a true Cuppy of a deed Sealed deliuered and ackknowledged by the said Thomas Gerrard as aforesaid in the p^rsence of

C: Baltemore

The depon^t sworne to the truth of this Affid^t before me Robert Keylway one of the M^{rs} of the Chancery of England in Ordinary the 13th day of September 1659

Rob^t Keylway

Sealed and delivered by the within named Thomas Gerrard in the p^rsence of Rich: Congrene John Langford Rich Symons

Sigillat delibat et libent recognit ꝑ infrañomt Thomam Gerrard die & anno dat p^rsentium coram me

C Baltemore

Thomas Gerrard de Insula Sci Clementis infra Provinciam ter. Marie in ꝑtibz Am^rice gen. coram dño Rege in Cancellor sua psonalit. constitut recogn se debere Abeli Snowe de Officia Cursitar in Com^m Midd gen Mille libras bone et legal monete Angl: solveñd eidem Abeli ant suo certo Attorn executo^r Administr. vel Assign suis in festo Sci Jōhis Baptis prox futur post dat hujus Recognicōis Ut nisi fec^rit vult et Concedit qd dca suā mille libra levetur et recuzetur de bonis et cattall terr. tontis et hereditamen Ipius Thome herēd Executor vel Administr. Suox vbicunq^r furint invent. infra Regnu Angl. aut infra p^rdict Provinciam terr Marie vocat. Maryl. vel. infra prte Virginie ad solum et propriu opus et vsum p^rfat. Abelis hered Executor & Admini suoz Teste deō dño Rege apud Westm^r decimo nouo die June Anno Regni ejuodem dno nri Caroli dei gra Angl. Scotie ffrancie et hibernie Regis fidei defensor &c decimo Sxto. Annoq dñni 1640

Exaiat q Edm Goddard

Thomas Gerard de Insula Sci Clementis infra Provinciam Terra Maria in partibz America gen. coram me Cecilis Baron de Baltemore Caroli Regis Angl. &c. gra. dño Proprietar Provincia Terre Marie & Avalon ꝑsonalit constitut recognovit se deberie Abeli Snowe de officio Cursitar in Com Midd gen^{oso} Mille libras bone et legalis

Liber
P. C. R. monete Angl solvend eidem Abeli aut suo certo Atturn Execut Ad-
ministratōribz nel Assign suis in festo sci Jōhis Bapte prox futur post
dat hujus Recognicionis et nisi fecit vult & concedit qd dca suñā
Mille libra levet & recuperet de bonis & cattalis [terr] tentis & here-
dittamentis ipius Thome her [ed Executor vel] Administrator suo
ubicunq furint invent infra p^rdict p^rvinciam Terra Marie vocat Mary-
land ad solum et ppria opus et vsum p^rfat, Abelis hēred Executor uel
Administrator suos Teste me ipō dcō Cæcilio Baron de Baltemore
dño proprietar pvinc. p^rdict. apud London infra Regnum Angl de-
cimo nono die Junij Anno Regin dñi nri Caroli dei gra Angl. Scocie
Franc. & hibernie Regis fidei defensorio & decimo sexto Annoq
dñni 1640 Thomas Gerrard

Recognit p p^rfat Thoma Gerrard die & Añno dat. p^rsentium coram
me

Cæcilio Barron de Baltemore et dño Proprietar provincia p^rdict
C: Baltemore

I doe hereby certefye that this is a true copy of a Recogniz
acknowledged by the said Tho: Gerrard before me C: Baltemore

This Indenture made the nineteenth day of June in the 16th
yeare of the Raigne of our Sovereigne Lord King Charles by the
grace of god of England Scotland France & Ireland defender of
the fayth &c. Betweene Abell Snowe of Cursitars office in Chan-
cery Lane London gent. . . . and Thomas Gerrard of Newhall in
p. 1050 the County . . . the Province of Maryland . . . Administrators and
Assigns in the Sumē of one thousand pounds of lawfull English
money to be Leauyed upon the said Goods and Chattles Lands Ten-
em^{ts} and hereditaments of the said Thomas Gerrard his heires
Executors and Administrators, wheresoeuer they shall be found
either within the Kingdome of England or within the p^rts of Virg^a
as by the said Recognizance doth and may more att Large appeare.

Now this p^rsent Indenture of defeazance upon the said Recog-
nizance Wittnesseth that if the said Thomas Gerrard his heires Exec-
utors Administrators or Assigns shall well and truly pay or cause
to be payd vnto the said Abell Snowe his heires Executors Adm^{rs} or
Assigns the full Sumē of Thirty fue thousand pound weight of good
and merchantable Leafe tobacco of Maryland well and sufficiently
packed and putt vp in good and sufficient Caske in such manner and
forme as itt shall then be generally vsed to be packed in the said
Province of Maryland att the severall tymes when the payment
thereof shall growe due, that is to say five thousand pound weight
thereof in or upon the tenth day of January next Ensueing the date
of theis p^rsents and tenn thousand pounds weight thereof more in or
upon the tenth day of January which shall be in the yeare of our
Lord one thousand six hundred forty and one And tenn thousand
pounds weight thereof more in or upon the tenth day of January
which shall be in the yeare of our lord god one thousand six hundred

forty two And tenn thousand pounds weight more being the residue thereof in or upon the tenth day of January which shall be in the yeare of our Lord god 1643. All which said severall paym^{ts} are well & truly to be made Att the howse of the said Abell Snowe called Snowe Hill in the said Province, or att the howse of the said Thomas Gerrard scituate in S^t Clements Iland in the said Province he the said Thomas Gerrard giving a months notice next before the day of payment thereof to the s^d Abell Snowe or his Assigns of the certaine Quantity that shall be payd by him att both places, and for soe much as shall be payd at S^t Clem^{ts} Island, the said Thomas Gerrard shall keepe safe and indempnified from wett or otherwise in his owne howses untill itt be received from him by the said Abell Snowe or his said to be payd yearely to the said Abell Snowe or his Assigns by the said Thomas Gerrard as is Covenanted and the same to come Clearely besides the weight of the caske to the said Abell Snowe his heires Executors Adm^{rs} or Assigns in manner and forme aboue specified that then this said Recognizance shall be voyd and of none Effect but otherwise to stand & remayne in full force & vertue, Neuertheles the said Abell Snowe doth hereby promise the said Thomas Gerrard his heires Executors & Adm^{rs} that if itt shall soe happen that during the last three yeares the Province of Maryland be stinted and Confined by any order either from the Lords of his Majestys most hono^{ble} Privy Councell or by any Com^{and} and from the said Lord Baltemore by the very same Express Regulacōn of soe much & such Quantities of Tobacco p head as the Inhabitants of Virg^a are now stinted and Confined vnto that is to say one hundred and fifty pound weight p head for themselves and twenty pounds p head for publick charges as by the said Orders for Regulacōn in Virg^a more att Large itt doth and may appeare Then the s^d Abell Snowe is Contented to accept of six thousand pounds weight of tobacco soe ordered as itt is by the s^d Regulacōn being packed in good caske every yeare yearely during the said three last yeares in lieu of the said tenn thousand pounds weight of tobacco soe covenanted by the said Thomas Gerrard to be payd to the s^d Abell Snowe his Executors Adm^{rs} or Assigns as aforesaid butt itt is the express meaneing of both parties to theis p^rsents that the five thousand pounds weight of tobacco and Caske which is to be payd the tenth day of January next ensueing the date of theis p^rsents shall be well & truly payd as abouesaid whether there be any such Regulacōn or not regulacōn in the Province of Maryland as is afore expressed In wittness whereof both parties to theis p^rsents interchangeably putt their hands and Seales the day and yeare
 Thomas Gerrard

Thomas Cornwallis of the Cross in Maryland in America Esq^r and John Langford of the p^rish of S^t Clem^{ts} danes in the County of Midd gent. doe make oathe that their names aboue written as witt-

Liber
 P. C. R.

p. 1051

p. 1052

Liber
P. C. R. nesses to the deed within written is their owne hand wryting and
that they did see the said Thomas Gerrard Signe Seale & deliuer the
same Thomas Cornwallis John Langford

Both these depon^{ts} sworne to the truth hereof the 13th day of Sept^r
1659 before me Rob^t Keylway one of the M^{rs} of the Chancery of
Eⁿgld Robert Keylway

To all Christean people to whome this p^rsent wryting shall come
Greeting Whereas Thomas Gerrard of New hall in the County of
Lanaster gent. late of Snowe hill in the Province of Maryland in the
parts of America by one Recognizance beareing date the nineteenth
day of June in the yeare of the Reigne of our Soueraigne Lord
Charles by the grace of god of England Scotland France and Ireland
King defender of the fayth &c. the sixteenth accknowledged before
John Page Esq^r one of the Masters of the most hono^{ble} Co^{rt} of Chan-
cery hath become bound vnto Abell Snowe of Cursitars Office in
Chancery Lane of London gent. his heires Executors Administrators
and Assigns in the Sume of one thousand pounds of lawfull English
money to be leauyed vpon the goods and Chattles lands Tenem^{ts} and
hereditam^{ts} of the said Thomas Gerrard his heires Executors and
Adm^{rs} within the Province of Maryland aforesaid for the payment &
deliury of the full Sume of thirty five thousand pounds weight of
good and merchantable Leafe tobacco of Maryland and also the
Sume of one hundred ninety and foure pounds of Currant English
money which the s^d Thomas Gerrard oweth vpon a Just acc^o made
betwixt the said Abell Snowe and Thomas Gerrard vnto the s^d Abell
p. 1053 Snowe his . . . Ferny hill in the County of Stafford Widd as also for
diuers other good causes and Consideracōns me thereunto especially
moueing Haue given granted and bequeathed and by theis p^rsents
doe give grant and bequeathe unto my welbeloved mother Jdith
Snowe her Executors Administrators and Assigns all the afore
named tobacco debt or debts Sume or Sumes of money whatsoever
which is oweing vnto me by the s^d Thomas Gerrard his Executors
and Administrators together with all my house hould goods Cattle &
Chattles moueable or unmoveable whatsoever in my possōn or which
are owing vnto me both in the Realme of England and the said
Province of Maryland To haue and to hould the aforesaid Tobacco
debt or debts Sume or Sumes of money, household goods Cattle and
Chattles moveable and vnmoueable whatsoever vnto the aforesaid
Jdith Snowe her Executors and Adm^{rs} for ever, And in the name and
possōn thereof I the said Abell Snowe haue deliuered with my owne
hands six pence of currant English money to the said Jdith Snowe
In Wittnes whereof I the said Abell Snowe to this present deed of
guift haue sett my hand & Seale this 27th day of June in the Eight-
eenth yeare of the Reigne of our Soueraigne Lord Charles by the
grace of god of Engld Scotland France and Ireland King defendor
of the fayth & Annoq dñni 1642 Abell Snowe

Sealed and delivered in the p^rsence of Tho Bayley Walter Snowe
Edward Lees M his marke Liber
P. C. R.

This is a true Coppy of the Originall Examined by vs W^m Fynney
Thomas Sutton

Walter Snowe of fferny hill in the County of Stafford gent. and
Edward Lees of Rownall in the said County make oathe that
this is a true coppy of a deed purporting Snowe to Jdith his
. . . . Both these depon^{ts} sworne to the truth hereof the 29th day of p. 1054
September 1659 before S^r Richard dyott Kn^t one of the Masters of
the Chancery of England Ric: Dyett:

To all Christean People to whom this p^rsent wryting shall come
Greeting Whereas Thomas Gerrard of New hall in the County of
Lancaster gent. late of Snowe Hill in the Province of Maryland in
the parts of America by one Recognizance beareing date the nine-
teenth day of June in the yeare of our late King Charles &c. the
sixteenth, Accknowledged before John Page Esq^r one of the Mas-
ters of the most hono^{ble} Co^{rt} of Chancery hath become bound vnto
Abell Snowe of Cursitars office in Chancery Lane London gent. his
heires Executors and Adm^{rs} and Assigns in the Sume of one thou-
sand pounds of lawfull money of England to be leauyed upon the
goods and Chattels lands Tenem^{ts} and hereditam^{ts} of the s^d Thomas
Gerrard his heires Executors and Administrato^{rs} within the Province
of Maryland aforesaid for the paym^t and deliuey of the full Sum^e of
thirty fve thousand pound weight of good and merchantable Leafe
tobacco of Maryland and also the Sume of one hundred ninety and
foure pounds of currant English money which the said Thomas Ger-
rard oweth vpon a Just Acc^o made betwixt the said Abell Snowe and
the said Thomas Gerrard vnto the said Abell Snowe his Executors
Administrators & assigns as by the said Recognizance Indenture of
defeazance and the Acc^o more plainly and att large appeareth And
whereas the s^d Abell Snowe by his deed of Guift beareing date the
seaven and twentyth day of June in the Eighteenth yeare of our
aforesaid late King Charles &c as well for the naturall love duty and
affeccōn which he owed and bore to his deare & loving mother Jdith
Snowe of ferny hill in the County of Stafford widd as alsoe for diu-
ers other good Causes Consideracōns Gerrard his Executors and
Adm^{rs} together with all his houseould goods Cattles and Chattles p. 1055
moueable and vnmoueable whatsoeuer in his possōn or which were
oweing vnto him both in the Realme of England and in the s^d Prov-
ince of Maryland as by the said deed of guift more plainly and att
large itt doth and may appeare Now Knowe yee that I the said Jdith
Snowe as well for the naturall loue and affeccōn w^{ch} I beare vnto my
Loving Sonne Marmaduke Snowe of Ferny hill afores^d in the said
County of Stafford gent. as also for divers other good causes &
consideracōns me therevnto especially moueing [have] Assigned and
sett over and in and by theis p^rsents doe give grant Assigne and sett

Liber
P. C. R. over vnto my said welbeloved Sonne Marmaduke Snowe his Executors Adm^{rs} and Assigns all the afore named and abouesaid tobacco debt or debts Sume or Sumes of money whatsoever which is given granted and bequeathed vnto me the said Jdith Snowe by the said Abell Snowe together with all the house hould goods Cattles & Chattles moveable and vnmovable whatsoever given granted and bequeathed unto me the said Jdith By the said Abell, and all my right Interest & tytle of in & to the same To haue and to hould the aforesaid Tobacco or debts Sume or Sumes of money howse hould goods Cattle and Chattles moveable and vnmovable whatsoever vnto the aforesaid Marmaduke Snowe his Executors and Administrators for ever In Wittness whereof I the said Jdith Snowe to this p^rsent deed of guift haue sett my hand and seale the first day of June in the yeare of our lord god according to the Computacōn of the Chruch of England 1649 Jdith Snowe her marke

Sealed & deliuered and six pence in Silver given by the s^d Jdith to the s^d Marmaduke

This is a true Coppy ex^{ed} by W^m Fynney

p. 1056 William Fynney of Fynney Lane in the County of Stafford gent. and Thomas Sutton of Oncott in the s^d County gent. doe make oathe that this is a true coppy by them now lately Examined of a deed of guift beareing date the first day of June 1649 and that they were p^rsent and did see the aboue named Jdith Snowe seale & deliuer the said deed of guift beareing date as aforesaid, and that these depon^{ts} names together with two more wittnesses (vizt) John Oulsnam and Robert Turner subscribed therevnto As wittnesses are their owne proper hand wryting W^m Fynney Tho. Sutton

Both these depon^{ts} sworne to the truth hereof the 29th day of September 1659 before S^r Richard dyott Kn^t one of the M^{rs} of the Chancery in England Ric. Dyott.

The p^{lt} sues p[ro]ut in peticōn The def^t desires that he may haue a Coppy of the peticōn and haue tyme to answeare till the next Provinciall Co^{rt} Ordered that the def^t doe give sufficient bond with two sufficient Suretyes not to imbezill the Estate claymed by Marmaduke Snowe by vertue of the deeds afore recited, and that he shall Joyne issue with the p^{lt}, and abide Judgem^t of this board att the next Provinciall Co^{rt}

Cap^t Neale maketh oathe that he did reade over two Latine Recognizances beareing date 19th June

p. 1057
Taylor v.
Courtney

To the Right hono^{ble} the Governor and Councell

The humble pet. of Sarah Taylor Sheweth That whereas Thomas Courtney did sollicite a Suite of loue to yo^r pet^r the which yo^r pet^r did entertayne in a familiar and civill manner vntill such tyme as she heard that the said Thomas Courtney did privately abuse her, by

reporting that he had had vncivill doeings with her, the which yo^r Liber
pet^r scorning by the advice of her freinds she did striue to weane P. C. R.
her selfe from her former Childish Loue; which Thomas Courtney
. . . . he doth goe aboute to dishonor yo^r pet^r reporting that he hath
layne with her, with many impudent and false abuses, besides a letter
in the which he doth abuse me in a very vncivill and abusive manner
wherefore yo^r pet^r humbly beseeches yo^r honors to take itt into yo^r
serious Consideracōns the Condiçōn of a poore abused Mayd who
sues for Justice ag^t her abusive adversary and as in duty bound she
shall ever pray.

The p^{lt} sues the def^t in an accōn of defamacōn for giving out in
speeches that he hath layn with the p^{lt} whereupon the def^t craues
a Jury which was granted

Warr^t mde to the Sherriffe of St Marys County to impannell a
Jury the Sherriff returned his writt and warned

Cap ^t Thomas Manning	Tho : Bennett	Robert Slye
John Hamond	Hugh Stanley	Fran : Batchelor
Humphry Haggett	W ^m Hatton	Henry Spinke
James Veach	W ^m Bretton	John Nuttwell

Cap^t Thomas Manning Foreman sworne together with the rest
abouemenconed,

To the hono^{ble} the Leiutenn^t Generall and Councell W^m Re Bretton
Bretton to Gyles Sadleir late Sherriff of that County to collect P. 1058
for him, But the said Gyles being infortunately cast away, yo^r pet^r
not well knowing how to recouer his said debts He humbly prayes
that James Ueich of Calvert County may be impowred by order of
this hono^{ble} Co^{rt} to leauy by way of Execucōn after demand made
all, or any p^{cell} of the said fees for which the s^d Gyles Sadleir hath
given noe receipt for under his hand, M^r Hugh Stanley haueing the
booke of fees in his Custody now p^rsent in Co^{rt} and willing to Relin-
quish the same according to this agreem^t with Veich and yo^r pet^r
& he shall pray &c.

Vpon the petiçōn abouesaid Ordered that Hugh Stanley deliuer
up to W^m Bretton his Booke of fees and that James Ueitch may haue
writt to Leauy the s^d fees according to the petiçōn

Then The Jury returned their Verdict (vizt) The accōn of scan- Taylor v.
dall lyes and wee finde for the p^{lt} five hundred pounds of tobacco and Courtney
Caske dammages Ordered that Thomas Courtney aske the s^d Sarah
Taylor forgivenes in open Co^{rt} upon his knees for scandaling of the
p^{lt}, which was done accordingly

Liber
P. C. R.
Murfee
v. Troope
vide 3 Md.
Arch. Coun.
450
Re Gwyther

Ordered that a warr^t issue ag^t Robert Troope to appeare att the next Pro^{all} Co^{rt} that in the Interim Morris Murfee remayne with Cap^t Luke Gardner Cott Evans & Richd LLoyd according to the former order of the Councill

To the hono^{bte} the Leiutenn^t Generall & Councill Sheweth The humble peticōn of Nicholas Gwyther That yo^r pet^r by order of this Co^{rt} summoned an Inquest vpon the Suite comēced touching . . .

Bassett v.
Ford
p. 1059

At a Court held att Newtowne for the County of S^t Marys the Eleauenth day of March 1661

Present	Coll W ^m Evans	} M ^r Luke Gardner } Com ^{rs}
	M ^r John Abington	
	M ^r Tho Dent	
	M ^r Richard Willan	
		Thomas Turner
		Richard LLoyd

Thomas Bassett Constable of New Towne Hundred doth p^rsent vnto this Co^{rt} Robert Foord for killing a hogg of the said Bassett and afterwards carrying itt to the howse of Richard Bennett

Thomas Bennitt aged 18 yeares sworne &c Sayth That when Robert Foord killed Thomas Bassetts hogg he this depon^t being in the woods came vp to him & asked him whose hogg itt was, he the s^d Foord answered itt was Thomas Bassetts hogg. And he this depon^t sayd itt was one of his home hoggs, And the said Foord answered It was more than he knew, and this depon^t did bid the said Foord carry itt to the howse of Thomas Bassett, and the said Ford answered he would carry itt to Goodman Bennetts, and he would goe to Thomas Bassetts and tell him of itt And further the s^d Ford asked this depon^t why he Looked soe said who answered that if Thomas Bassett were there and knew of itt he would Shoote them And the said Ford sayd yo^u would not be good to make a Theefe and further sayth not

Tho: Bennett his marke

Margarett the wife of Thomas Bassett sworne and examined Sayth That Thomas Bennett tould her this depon^t that the hogg which Robert Ford killed was one of Thomas Bassetts home hoggs, and bid him ripp the Mawe of itt, and he should finde Corne in itt for he had seene the hogg the night before att Thomas Bassetts howse And he . . . Bennett tould this depon^t that he bid the said Ford . . . Bassett and he sayd he . . . him the said Bennett . . .

p. 1060 Elizabeth the wife of Peter Achillis maketh oathe verbatim as Margarett Bassett.

Elizabeth Achillis her marke

Ordered that the said Ford putt in Security to appeare att the next Provinciall Co^{rt} or remayne in the Sherriffs Custody, And that the whole proceedings may be sent thither

Vpon the p^rsentm^t aboue written of Thomas Bassett Constable that Robert Ford killd one of his hoggs they putt themselues to the Tryall of a Jury Liber
P. C. R.

Warr^t to the Sherriff to impannell a Jury.

The Sherriff returns his writt and warned

Nich Young Richard Games Daniell Clocker Robert Macklyn Thomas Bennett John Halfehead John Pollard Will^m Palmer Thomas Innes W^m Whittle, Humphry Haggett

Nicholas Young foreman sworne with the rest aboue mencōned

And the Jury returned their verdict not Guilty

Thomas Bassett Constable of new Towne hundred doth p^rsent vnto this Co^rt Richard Bennett for Contempt of Government, That the said Bennett did deny and refuse to ayde and Assest the said Constable in carrying Robert Ford before Cott William Evans one of his Lop^s. Justices of the peace for this County of S^t Marys. Bassett v.
Bennett

William Young aged 31 yeares or thereabouts sworne in open Co^rt Sayth, That vpon the first of February last past Thomas Bassett comeing to yo^r depon^t as he was Cutting of wood att night about Sun Sett the said Bassett desireing yo^r depon^t to goe along with him to heare Richard Bennett what he should say for the said Thomas tolde yo^r depon^t that had killed a hogg of his and Bennett had Commanded the said Richard Bennett in the name of the Right hono^bte the Lord Proprietary to goe along wth him, the said Richard Bennett replying Thomas why are yo^u soe hasty where is yo^r warr^t the said Thomas Bassett replied, my oathe is my warr^t and whether the said Richard sayd he could not or would not goe I cannot positiuely sweare, but he sayd he was the Security of Robert Ford and would continue his security vntill he should answer what he had to say to Robert Ford before a Justice of peace, and further sayth not p. 1061

W^m Young

John Cissell maketh oathe verbatim John † Cissell his marke

Ordered that Richard Bennett putt in security for his appearance att the next Pro^{all} Co^rt to answere the Constables p^rsentm^t; or remayne in Custody and th^t the whole proceeding be sent vp to the next Pro^{all} Co^rt

Walter Hall C^{rk}.

This being the first faulte co^mmitted by Richard Bennett and vpon promise of amendm^t for the future The Leivtenn^t Generall hath pardoned him

Thomas Innis ackknowledges Judgem^t for foure hundred and eleauen pounds of tobacco due to the Estate of Dauid Abercromby dec^d Aber-
crombie v.
Innis
Vid. acquit-
tance fol.
1160

with two holes in them, and as they were a piping of itt in the feild, Black sayd I wonder the Poyson doth worke noe better, And further sayth not. Liber
P. C. R.

The mke & of Francis Fisher

Jurat coram Philip Calvert

Edward Chicken sworne and examined this 25th February 1661 Sayth That he goeing to the Oven att M^r Cagers Quarter for Pone, he tooke one of those pones that were marked with a hole in itt whereupon W^m Blacks wife told this depon^t he had better be hanged then medle with itt, and bid him carry itt into the Oven againe, and fetch out the other this depon^t and sayd, why, is not one And this depon^t further makeing of

p. 1064

Joseph Martin aged twenty yeares Sworne and Examined Sayth That he this Depon^t did heare W^m Black bid the Servants gett Clubbs to knock their Master on the head and sayd itt were a good deed to poyson their master whereupon they made two pones with two holes in them and Edward Chiccken goeing to the Oven fetched out a Pone with a hole in itt, And Ann Black called him Rogue, biding him putt itt there againe, and bid him touch if he durst & further sayth not

Joseph & Martin his marke

Thomas Bennett sworne and Examined sayth that ab^t the End of June, or the beginning of July he this depon^t comeing to the howse of Robert Cager where W^m Black and M^r Cager being hott att words, M^r Cager saying that William Black did up hould the Servants against him and his wife to abuse them both Will^m Black replied th^t he did not, and would not beleieve that the Servants did abuse them, except he heard itt himselfe, and tould M^r Cager till his Condiçōns was fullfilled the servants were his, and forwarned M^r Cager to strike them, But sayd if they did deserue itt, he would correct them himselfe for itt, And further sayth not.

Jurat in Curia

Thomas Bennett

George Macckall maketh oathe verbatim as Thomas Bennett

Jurat in Curia

Geo Macckall □ his marke

Ordered that Jury be impannelled

Warr^t to the Sherr. to impannell 12 men of this County &c. And this Court The Sherriff

The Jury returns their Verdict in wryting (vizt)

Vpon serious debate of the whole case inter Cager plt Black def^t wee finde that the plt hath noe cause of action. Therefore wee grant to the def^t a non suite with all costs and charges there incurred p. 1065

The plt Craues an Appeale to the next Pro^{all} Co^{rt} It is ordered that an Appeale be granted, And that the whole proceeding be sent up to the next Pro^{all} Co^{rt} And that the Wittnesses Subpened haue thirty pounds of tobacco p day for their Attendance

Liber The whole busines betweene plt and def^t being read in Co^{rt} The
P. C. R. Judgem^t of the Board is that the plt hath noe cause of accōn and
therefore is to pay costs of Suite

Thomas Knowe all men by theis p^rsents that I Thomas Simpson of St^t
Simpson p. Marys County Planter doe constitute appoynte & make my Loving
Attorn. Kinsman M^r Richard Willan of the same County my true and lawfull
Thos. Attorney to sue impleade or compound & in all things to doe as I my
Turner v. selfe might lawfully doe if I were there personally p^rsent in an
Francis accōn of the case depending Betweene Francis Batchelor of Charls
Batchelor County att this p^rsent Provincia^l Co^{rt} now insueing And alsoe to
constitute and make one or more Attorneys for me and in my name
to acte and doe in the p^rmisses what he shall thinke fitt and Con-
venient for my benefitt, In Wittnes whereof I haue herevnto sett
my hand this 28th of May 1662 Tho : Simpson

Testis [John] Pille

p. 1066 Willan of St Marys Comēced Betweene the s^d Simpson
and Francis Batchelor of Charles County Wittnes my hand this 4th
of June 1662 Richard Willan

Testes Daniell Jenifer

To the hono^{bte} the Leiutenn^t Generall and the Councell of Mary-
land

The humble pet of Thomas Simpson Humbly sheweth That where-
as Francis Batchelor standeth indebted vnto yo^r pet^r the Sumē of
fifty pounds of Currant and lawfull money of England, and two
thousand pounds of tobacco and caske, as by obligacōn under the
said Batchelors hand appeareth, and foure hundred pounds of to-
bacco and Caske payable to yo^r pet^r in the yeare of our Lord 1661
now late past as alsoe the Sumē of twelue hundred pounds of tobacco,
and caske due to be payd vnto yo^r pet^r this p^rsent yeare of our lord
62 as by bill appeareth and one thousand three hundred seaventy
and one pounds of tobacco, vpon accompt all which Sumes yo^r pet^r
is yett vnsattisfyed

Yo^r pet^r humbly craveth order as security for speedy sattisfaccōn
with costs and yo^r pet^r in duty bound shall pray &c.

The plt sues p[ro]ut in peticōn The def^t Craues a Refference and
desires a copy of the p^{lte} peticōn which is granted.

Ordered that the Sherriff take Bayle of the def^t to an accōn of
one hundred pounds sterl. to be tryed the next Co^{rt}

Re Sadleir's To the hono^{bte} the Gouernor and Councell of the Province of
Estate Maryland.

■ The humble peticōn of Hugh Stanley Administrato^r of Gyles
Sadleir Sheweth And whereas many p^rtend discharges yett

refuse to produce the same, he humbly prayeth that he may be Impowred to require view of the said discharges and that if any should obstinately deny to produce the same, And he should Comence accōn against any of them, they producing discharges in Co^{rt} would recover against yo^r pet^r for vnjust molestacōn and soe very much impayes the said Estate.

Liber
P. C. R.
p. 1067

He prayeth that if after a modest and legall demand any shall not produce or shoue the s^d discharges whereby he shall be compelled to enter action ag^t any of them, order from this Co^{rt} that the molestacōn may not be accompted unjust & that they may be compelled to pay necessary Suite And he shall pray &c.

Vpon the peticōn aboue written It is ordered that the Administrator haue day to the last of August to bring in the acc^o of Sadleirs Estate & that he is hereby impowred to demand sight of all discharges by Sadleir given, and vpon Refusall to Comence suite ag^t the Refusers in which all Co^{rts} are hereby required to grant noe costs ag^t the Administrator.

The Co^{rt} ajourned till 9 of the clock in the morning

Thursday 5th of June 1662

Present As before

June 5
Evans v.
Pile

To the hono^{bte} Philip Calvert Esq^r Governor and Chancellor of Maryland with the Councill of State, The humble Complaynt in Chancery of W^m Evans of S^t Clements Bay in the County of S^t Marys ag^t John Pile of Wiccocomaco in the County afores^d on the behalfe of James Greenwell sonne of John Greenwell deceased.

The Compt sheweth That John Pille sold vnto John Greenwell [a] certaine tract of land lying att the head of a Creeke in Brettons [Bay] Nevetts Creeke for the Sume of Eight thousand said Greenwell vnto the said howse, on that land, which was some charge to him liveing thereon not full two yeares, and then dyed in actuall possōn of the same, Leauing this Compt and James Langworth ffeoffes in trust, for the well ordering and Looking after his Child and his Estate during which tyme Pille accknowledgeth to haue received from Greenwell 4000th tobacco only which was payd by him as he Confesseth, though the Compt hath since vnderstood, and will Endeavor to make appeare how Greenwell before his death signified to some of his Neighbours that he ought the said Pille little or nothing as touching that Purchase. Further the Compt could not [have] proved any thing att all payd by Greenwell nor that other Feoffes late dec^d, but only by M^r Piles second Demand, and his accknowledgm^t or confession as aforesaid noe Acquittance appearing or found amongst his paps any wayes relating thereto, not soe much as the Conveyance or Deed of the said land. The Compt

p. 1068

Liber being altogether Ignorant Concerning itt, haueing never read or
P. C. R. seene the same.

Now soe itt is That M^r Pille by some way or other haueing gotten the said Conveyance or deed into his custody againe as the Compt is given to vnderstand And further likewise how that noe Realienacōn of the said land ever passed from Greenwell to him and p^rtending possōn to be given or granted him by Greenwell in case the tobacco should not be payd by him hath Entred vpon that Land and absolutely solde the same to another person since Greenwells death without course att Lawe dispossessing the Orphant or heire of his Freehould and libties contrary to the Statute of magna Charta, cap: 29: & the Statute of Malebrough, Providing in that behalfe And soe has receiued double pay or sattisfaccōn for one and the same land besides Greenwell being a man illeterate, and Pille himselfe drawing the Conveyance betwixt them both, It is to be p^rsumed that that Conveyance is penned in favor of Piles himselfe and his owne

p. 1069 Orphant who not haueing estate is thereby made vnapt and consequently disabled to wage Lawe Yo^r Compt therefore doth clearely detrect from this busines & in most humble wise throwes itt upon this hono^{ble} Co^{rt} Which Notwithstanding He p^rsumeth to Instance thus much & humbly prayes that the s^d John Pille according to the vsuall course in Chancery putt in his answere upon oathe to every perticuler, and likewise deliuer the aforementioned Conveyance to the Co^{rt} And declare whether itt be the same or not, whether altred or interlined [by] himselfe or any other since or afore or the Signeing and delivery thereof how he came possēd with itt and who writt itt, by whome the Realienacon was made and before whome possōn given if such thing were, how much tobacco he hath already rec^d from Greenwell upon that Sale whether there were not other Reckonings betwixt them att the tyme of Greenwells departure then that only, how much he sould that same land for the second tyme since Greenwells death

Lastly yo^r Compt humbly requesteth this hono^{ble} Co^{rt} to comiserate the p^rsent condicōn of the s^d orphant in case itt shall by good Evidence soe appeare that the Repossōn is just and that he be adjudged to loose his ffreehould then that the s^d Pille repay the tobacco rec^d att least with forbearance, and Charges of building Greenwell enjoyeing and possessing the land & plantacōn one yeare only or little more And he shall pray &c.

W^m Euans

To the hono^{ble} Philip Calvert Esq^r Governor and Chancellor of Maryland

[The Answer] of John Pille in his deafence to a bill Co^{rt} Will^m Evans in the behalfe John Greenwell dec^d Justice when they haue been enformed of the truth and Examined the reason why the Feoffees suffred his fathers purchase to be lost when they might

haue had a greate pte of the debt abated, if they would haue payd the Remynder (as M^r Langworth confessed in the Governors p^rsence) when they had tobaccoes enough in their hands; and much more then would haue sattisfyed the def^{ts} bond which vnder favor he maketh bold to Instance that he conceiveth they ought to haue payd before any single bill or other debt and that they might haue the less p^rsence for doing the Orphant this wrong I proffered to take & keepe him [as] I kept my owne children without any charge to the Estate

Liber
P. C. R.
p. 1070

But before he proceedeth to answere yo^r Co^mmand he humbly craueth that there may be noe accep^cōns nor advantages in lawe taken against him which granted he will wth Gods Assistance make a true answere to each perticuler as the Compt requireth as fully as he is abell

To his first Complaynt I answere upon my oathe That the bargain Betweene John Greenwell and I touching the land in question was conditionall thus that for Eight thousand pounds of tobacco and caske to be payd att three severall payments, as they are mencōned in a Bond, the aforesaid Land should be his, And if he fayled of any of the three paym^{ts} the Inheritance was to remayne to the vse of me and my heires, And to the end wee might make this our bargain the more cleare in case of mortallity wee according to the best of our Judgem^{ts} performed itt in this manner, as wee then thought might be to the benefitt of each party, First I delivered John Greenwell the deeds of the land with possōn, afterwards John Greenwell redeliu^d me possōn with a deed (that I haue to showe) To the vse of me and my heires the possōn was performed in this manner in the p^rsence of M^r Walter Hall, W^m Thompson M^{rs} Grinwell, and W^m Wennam, John Grinwell went forth of the howse and all the rest of the company with him to give me lawfull possōn; and I lockt the doore to take depose that afterwards I heare a Condi^cōn for one thousand pounds of tobacco & caske w^{ch} John Greenwell owed me for the hyre of a servant which Condi^cōn M^r Langworth desired should be cancelld and discounted vpon the Tobacco in my hands received by me before John Greenwells death wherevnto I condescended, and itt was then p^rsently cancelld One hhd more was due vnto me from John Greenwell for hoggs which M^r Langworth payd to M^r Gardner on my Accompt not long before his death as M^r Gardner informed me further I affirme that I did showe vnto Coronall Evan's and M^r Langworth a true and just Acc^o of all tobaccoes received by me from John Greenwell in Cott Euans his howse when they were both together they might haue knowne if they pleased what was due vpon the Condi^cōn of land, and I doe affirme upon my oathe th^t I haue never to my knowledge concealed the vallue of one pound of tobacco to wrong John Greenwell or his children

p. 1071

Liber
P. C. R.

Thirdly how I came by the deeds I declare vpon my oathe That the tyme of pay being neare I questioning with the Feoffes both together about my pay they tould me that itt will be to the benefitt of the Orphant, to lett the bargaine of the land falle and to returne the deeds unto me (or in words to this effect) which troubled me very much haueing by my remouall been much brought into debt, And from M^r Langworths promise confidently depending on itt Soe that being disapoynted itt proved to me greate damage therefore to auoyde itt there being foure thousand Eight hundred ninety and two pounds of tobacco due vpon my acc^o I proffered to take three thousand five hundred if they would keepe the land, and make itt the childs, they not accepting my proffer nor soe much as desireing forbearance deliuered me the deeds of the land with theis termes wee conceiue the land to be yours for were itt the childs wee could not dispose of itt, or in words to this sence, The Feoffees being both together in Coff Euans his howse there I received the deeds from them both together Conceiuing if I should haue refused my land I could not sue for my tobacco, I was forct to accept of itt

p. 1072

[Fourthly] performed according to our agreem^t I doe farther declare that he heard itt truely read, before he signed & deliuered itt

Fiftly to whome & for how much the land was sould since I was inforct to take itt by the Feoffees I declare vpon my oathe That I sould the land to my brother Tettershall for five thousand pounds of tobacco and caske with three yeares day of payment, I being compelld to sell itt for feare of farther damage, could make noe more of itt And where Coff Evans sayth I twice sould itt & rec^d double pay for itt I doe here affirme that I haue not [re]ceiued my full Summe of Eight thousand pounds of tobacco that I should haue had of John Greenwell nor when I haue received the full debt of my brother Tettershall I shall not haue satisfaccōn according to my first Bargaine

As for the deeds I declare vpon my oathe I haue noe other but this which here I deliuer the other are not in my Custody nor at my power to comānd they are my Brother Tettershalls

Lastly whereas Coff Euans p^rtendeth ignorance in all things I doe declare vpon my oathe I shewed him & M^r Langworth the Acc^o of the Tobaccos rec^d by me in John Greenwells life tyme, And alsoe the bond for the Eight thousand pounds of tobacco before ever they deliu[er]ed me back the deeds of the land in Coff Euans his howse

John Pille

To the hono^{ble} Philip Calvert Esq^r Chancello^r of Maryland with the Councill of State

The Reply of Coff W^m Euans in behalfe of the orphan of J^{no} Greenwell dec^d To the Remonstrance of J^{no} Pille The Comptt humbly sheweth that in his former bill of Complaynt ag^t John Pille in the behalfe of the orphan of J^{no} Greenwell he truely & sincerely

and hath since the first Seateing of this Province under the Right hono^{bte} Cæcilius Lord Baltimore absolute Lord and Proprietary thereof (as he is most credibly informed) ever Compassionated protected and defended Orphans and Widdowes in all their just dues and demands

Liber
P. C. R.
p. 1073

But haueing perused & read the def^{ts} answer to his said bill, wherein he declareth how that he is of the same opinion with the Compt as touching the s^d Orphan being very much Injured and wronged in his Estate Endeauouring with all to cast the whole cause thereof on the feoffees Sheltring himselfe much on divers passages and words of one of the feoffees M^r James Langworth dec^d who had without the Compts privity and Consent, Further he Sheweth that the def^t demanded one halfe of the purchase of the Feoffees as unsatisfyed, Soe that itt seemes one halfe was payd by Greenwell which needed not, when as the def^t in his answer sayth that the purchase was to be payd and satisfyed att three seuell paym^{ts} which the Compt never understood before neither ought the feoffees pay that remaynder before any other lawfull Signed bill, if they sawe cause to doe otherwise for the Orphans benefitt, neither could the def^t reenter on that plantacōn without course att Lawe, and that by an Extent only, which he mought haue libty thereby to haue done, further as to his proffer to keepe & mayntayne the s^d Orphan, as well as his owne Children the Compt is altogether ignorant of such proffer, yett if such were he much doubteth whether or noe itt was in his power to performe without his wifes good liking & consent thereto

As to the def^{ts} first answer touching the Land the Compt hath already spoken, what he understands in that busines, And those p^{rs}sons in whose p^{rs}sence the def^t declareth Repossōn to be given, as W^m Thompson not long before his death did declare, and M^r Walter Hall likewise That they knowe of noe such Passage euer being in their p^{rs}sence. As to his second concerning acc^{ts} the def^t formerly first satisfyed for and now cannot answer for himselfe whereupon the Compt doth verily beleieue that that 1000th tobacco was payd on the Acc^o towards the Purchase for the def^t doth noe where in his answer punctually relate and declare how much itt was that John Greenwell payd him in his life tyme principally to that End

p. 1074

As to the third Concerning the deeds The Compt sayth that he tould the def^t that itt did not lye in the feoffees power to sell the Orphans land, And therefore required him to take the benefitt of his Condiōn by an Extent if he had power soe to doe, As to the fifth To whome and for how much &c. The Compt sayth that this was first rated and solde by the def^t to Greenwell for Eight thousand pounds of tobacco, besides the building erected by Greenwell on the same in his life tyme which will Amounte to neare 2000th more, Now that 2000th tob. for building and the just Sume payd by Greenwell to

Liber the def^t (as may p^{tly} be Conjectured att) out of the def^{ts} answere
P. C. R. and which the Compt is ignorant of may be aboute 6000^{tb} tobacco
att leaste which in fine is the whole Summe of Eight thousand pounds
of tobacco Now againe since the def^t hath solde the same land for
5000^{tb} tobacco more to his Brother Tettershall w^{ch} he hath or is to
receiue though att three yeares paym^t as he Conceiueth, The Compt
humbly beseecheth this hono^{ble} Co^{rt} to consider whether the def^t will
not haue satisfaccōn according to his first bargaine, if he may goe
away with all these seuerall paym^{ts}? Lastly in all humillity he
beggeth that the Co^{rt} uouchsafe tenderly to looke upon the Orphan
for if he loose both his ffreehould and soe much tobacco to, That
tobacco is more then the def^t sold the land for, the second tyme to his
Brother Tettershall as aforesaid

As to the other the Compt shall not Complye att p^rsent but he
shall pray &c. W^m Euans

p. 1075 To the hono^{ble} Philip Calvert Esq^r Chancello^r . . . by denyall
thereof for that the Sale p^rtended made to John Greenwell was never
perfected by any accknowledgm^t thereof made in Co^{rt} or by other
matter of record, things without some one of which an Estate of
inherritance is not transferrible by lawe except only in cases teste-
mentary where a Testators will script may convey an Inherritance
Consequently the def^t had a lawfull right to sell the land to Tettershall
without the Redeliuery of the Pattent, made by the feoffees to
him the s^d def^t much more when they had deliuered itt up to him for
that redeliuery Confirmed their vnderstanding of the bargaine which
had passed betweene . . . John Greenwell to be the same with his this
def^t (vizt) That on non paym^t of the price . . . def^t was to dispose
of the said lands inheretance to his best benefitt for his satisfaccōn
which also their silence in th^t thing when they knew of his p^rtending
to sell & made noe contradiction thereto farther manifested

Secondly that such was the Intencōn att the makeing the bond
betweene himselfe, and Grinwell the def^t hath already deliuered on
oathe And he is also ready to depose & by others to proue itt; vpon
what Condicōns the Feoffees deliuered him the Pattent which also
will further manifest the p^rmisses

Thirdly to putt another Sence upon the Bond will be in effect to
deceiue the def^t of a considerable Summe of tobacco bargained for by
him with John Greenwell but by noe other meanes then the lands
sale recouerable

As for what may be alledged that in conscience after his owne
principall Sume and damages first satisfyed to him this def^t if by
the Sale made to Tettershall or other way any overplus of tobacco
rayased out of Interests of Grinwells will be in the def^{ts} hands then in
equity the s^d def^t ought to pay that Overplus to the Orphant the def^t
allowes of the propositiō & is willing to consent therevnto But his
apprehensions are that the Busines well examined the State thereof

will appeare farr distant from any such supposicōn in a true vnder-
standing humbly prayes the hono^{ble} Co^{rt} that the considered
the p^t may be damāges & the cause for more then would pay me
my due debt by bargaine with John Greenwell that I should pay
vnto them one halfe of the ouerplus of what itt should be more then
Eight thousand pounds of tobacco

Liber
P. C. R.
p. 1076

John Pille.

William Wennam of Charles County in the Province of Maryland
Planter aged 24 yeares or thereabouts sworne and examined att the
request of John Pilles of Sarum in the Province of Maryland gent.
swareth that upon the delivery of a plantacōn and howseing lying
on the head of a Creeke in Brettons bay in the County of S^t Marys
and Province aforesaid comonly knowne by the name of Nevitts
Creeke by John Greenwell dec^d vnto the s^d M^r Piles th^t the said M^r
Piles tooke possōn thereof he this depon^t being p^rsent M^r Walter Hall
and W^m Thompson dec^d being also p^rsent, and caused the said Green-
well and all then p^rsent forthwith to goe out of doores which being
done the s^d M^r Pills shutt and locked the doore he alone remayning
within and further sayth not

W^m Wennam his + marke

Juravit coram me Henry Adams

Bridgett Shells of this Province of Maryland aged 35 yeares or
thereabouts sworne & Examined sayth That her former husband
John Greenhill did deliuer possōn of the plantacōn he had of M^r
Piles to the s^d Piles and caused the s^d Bridgett Shells then Greenhill
to goe out of the howse, and then the s^d Pilles shutt the doore and
further this depon^t sayth not

Bridgett B Shells her marke

Jurat coram me Feb: 19th 1661 L Barbier

Robert Shells aged 35 yeares or thereabouts sworne and Examined
Sayth that in the yeare following after John Greenhills death

March 21th 1661 Cornelius Micormack aged twenty yeares or
thereabouts sworne & Examined Sayth That aboute a yeare before
his Master Greenhill dyed upon discourse betweene the said Green-
hill & W^m Thompson he this depon^t heard his M^r Greenhill say that
if he could but once see M^r Piles payd Soe that he might cleare the
plantacōn for his Child he did not care whether he lived or dyed or
words to this Effect and further sayth not

p. 1077

Jurat coram me L Barbier Cornelius Micormack his + marke

Walter Pake aged fifty three yeares or thereabouts being by me
examined by vertue of a Com^r granted from the Right Hono^{ble} the
Governor of this Province to John Pille gent, for examinacōn of
wittnesses vpon oath declareth, That aboute foure yeares since
pa[st] being soone after the death of John Greenwell did heare M^r
Langworth say to Coh Evans that itt was convenient to Lett M^r
Pille haue the land againe which was sould by the said Pille to
Greenhill rather then to keepe itt further sayth not.

W^m Tettersall aged twenty foure yeares or thereabts vpon oathe
declareth that haueing been att M^r John Pille his howse to buy the

Liber
P. C. R. land formerly called Greenhills att his returne passed by the howse
of Coff Evans and there tould the said Evans that he bought the land
for five thousand pounds of tobacco and Caske, then the said Evans
replied there was five hundred pounds of tobacco due to the Orphans,
and that he had as good haue given vp the bill (which to the best
of this Depon^{ts} memory) he sayd was in M^r Gardners possōⁿ, att
the first rather then now moreover this depon^t did heare M^r Lang-
worth say in the p^rsence of the hono^{ble} Philip Calvert Governor that
M^r Pille had p^rffered him seaven hundred pounds of tobacco to be
discounted out of the bills provided that he would keepe the Land for
the Orphans but M^r Langworth replied that he could not doe itt,
further sayth not

Jurat coram me James Neale

p. 1078 Gardner taken this 30th vpon, but what the discourse was
this Depon^t remembreth not as to the particulers, But this depon^t
sayth that to the best of his Remembrance they came to an agreem^t
and he thinks there were wrytings delivered unto M^r Piles After
which tyme this depon^t sayth that he the s^d depon^t and Cap^t Lang-
worth fell into discourse of what had formerly passed and that the
said Langworth did tell this Depon^t that he thought itt was better to
lett M^r Piles haue the Plantacōn then to pay the Tobacco w^{ch} M^r
Pilles demanded, and to pay the Rent, considering the little proffitt
itt would returne to the Childe or words to this purpose, And
farther this depon^t sayth he heard the s^d Langworth say that upon
agreem^t Betweene them and M^r Pille that when the said Pille should
sell the plantacōn, he was to pay them one halfe of all such proffetts
as the said Pille should make by the Sale over and aboue what was
the said Pilles his due from John Greenhill, and this Depon^t sayth
that the said Langworth did relate this upon the Acc^o of a bill w^{cc}
M^r Piles had assigned unto this depon^t which bill was due from John
Greenhill vpon which Agreement of theirs the s^d Langworth made a
Demurre to pay itt but afterwards because he had promised this
depon^t paym^t of the bill before such tyme as the depon^t accepted of
itt from M^r Pille the s^d Langworth did pay the s^d bill to this depon^t
Yett doubting as the s^d Langworth himselfe Related to this depon^t
whether Coff Evans would allowe itt vnto him againe, all which this
depon^t to the best of his Remembrance and knowledge deposeth vnto
and farther sayth not. Luke Gardner

Jurat coram me Tho Turner

The Deposicōn of Emma Turner aged thirty two yeares or there-
abouts sworne this 2^d May Sayth that she this Depon^t did severall
tymes heare her brother in Lawe M^r James Langworth say in his
life tyme, that M^r Piles must take againe that Plantacōn which he
had solde J^{no} Greenwell, and that they were not able to pay him that
p. 1079 Tobacco which was due . . . to Come into the Country, And that then
M^r Piles might sell the plantacōn againe for a good rate At another

tyme this depon^t sayth that she heard her brother in Lawe discoursing with M^{rs} Piles aboute her husbands takeing the plantacōn againe, and that vpon that discourse her Brother in Lawe did press hard to haue, for the Childs vse the halfe of such proffitts as M^r Piles should make by selling the Plantacōn againe He selling itt for more then the Eight thousand pounds of tobacco which was his due by Condi^cōn And this depon^t heard M^{rs} Piles repleye that his demand vnconscion-
[able] for these reasons, that the plantacōn mought run to Ruine and lye long vpon their hands and . . . husband wanted pay no sayth she our full due and my husband shall bate yo^u five hundred pounds of tobacco of the debt, many more words did pass Betweene them two to this or the like purpose this depon^t remembers whereby her brother in Lawe stiffly urged her for the takeing the plantacōn and M^{rs} Piles as earnestly pressed for the Tobacco, farther this depon^t sayth that she remembers that on a certaine tyme which tyme this depon^t cannot certainly call to minde at this depon^{ts} now dwelling howse where her Brother in Lawe then lived that M^{rs} Piles did earnest urge M^r Langworth to tell her whether there were any thing else to be done aboute the plantacōn that noe future Controversyes might arise, and that her Brother in Lawe did make answere that the plantacōn was her husbands and he might doe with itt as he pleased And farther this depon^t sayth not
Emma Turner

Sworne before me Tho : Turner.

The Deposicōn of Robert Cole aged thirty foure yeares or thereabouts being Sworne and Examined Sayth That Comeing over Wiccomaco Riuer from Cap^t Fendall's to M^r Robert Syles howse when they tooke the Indian Prisoner at Choptico in company with Cott W^m Evans and . . . with severall others they there accidentally . . . M^r Langworth fell . . . he ought to haue Entred upon itt by just Course att Lawe, and that by way of Extent, But what M^{rs} Pilles replied to this allegacōn of M^r Langworth this depon^t remembers not but they talked hard and lowd and further sayth not
Robert Cole

Jurat coram me Luke Gardner.

This bill bindeth me John Greenwell my heires Executors Adm^{rs} and Assigns to pay or cause to be payd vnto John Pille his heires Executors Administrato^{rs} or Assigns the full and just Summe of Eight thousand pounds of good sound merchantable Tobacco, and Caske to be payd att some Convenient place in New Towne att three severall paym^{ts} as followeth the first paym^t this p^rsent yeare att or before the tenth of November next ensueing the date hereof seaventeene hundred seaventy nine pounds and three thousand seaven hundred twenty and one pounds of tobacco on the tenth of November next following which will be in the yeare 1657 and five and twenty hundred pounds of tobacco on the tenth day of November which will be in the yeare 1658 and for the true performance and for the further & better secureing of the said John Pille of each and all the afore-

Liber
P. C. R.

p. 1080

Liber
P. C. R. said paym^{ts} I haue and doe binde over & deliuer vnto John Pille for him his heires Executors Administrat^{rs} or Assigns the three hundred acres of land with all the howseing &c. thereon In Wittness hereof I haue herevnto sett my hand this 14th of October 1656

The t marke of John Greenwell

Test Walter Hall W^m Thompson

The Consideracōn given to Greenwell for the passing of this bill was the plantacōn now demanded by the Orphant lying in Brettons bay. Accknowledged in open Co^{rt} by M^r Pille.

p. 1081 these words are overlyned (from me and my heires) assigned over all my right tytle and Interest in this Pattent vnto John Greenwell his heires Executors Administrators and Assigns as Wittnes my hand this 12th October 1656 John Pille

This is a true Coppy verbatim Ex^{ed} by me W^m Bretton

Testes Walter Hall W^m Thompson

Ordered Feoffee in trust for the plt Greenwell haue possōn of the land here dem^{ded} for the said James Greenwell to the vse the said Greenwell upon paym^t of 4902th Tobacco and Caske to John Pille the Mortgager and both ptyes pay their owne Charge.

Hughes v.
Smith This bill bindeth me Thomas Hughes of the County of S^t Marys within the Province of Maryland mine heires Executo^{rs} and Adm^{rs} to pay or cause to be payd to Richard Smith of Wiccocomaco Riuer within the said County Planter his Executors or Assigns Eleaven hundred weight of good sound merchantable tobacco and Caske without ground Leaues or Seconds vpon demand In Wittnes whereof I haue herevnto putt my hand the 16th day of November 1660

The marke Fo+ of Tho: Hughes

Testes Tho Williamson Rich Foster his W marke.

Knowe all men by theis p^rsents that I Richard Smith doe assigne over all my right and tytle of this within . . . vnto Thomas Darling
p. 1082 his heires or . . . hand the first of January 1661 . . . vnto Thomas Gerrard Esq^r his heires or Assigns wittnes my hand the first of February 1661 The marke I of Tho Darling

Testes James Edmunds John Hillerd

Thomas Hughes made oathe that he had payd three hundred pounds of tobacco of the bill due to Richard Smith and accknowledges Judgem^t for the rest in open Co^{rt} John Gittings Clre.

Attorney
General v.
Fitzherbert Then was putt an Informacōn ag^t Francis Fitzherbert [by] his Lo^{ps} Attorney Generall fo: 102. To which Francis Fitzherbert demurred in Lawe.

I Neither denying or Confessing the matter here objected Since by the very first Lawe of this Country Holy Church within this Province shall haue & Enioye all her Rights libertyes and Franchises

wholy and without Blemish, amongst which that of preacheing and teacheing is not the leaste, neither imports itt what Church is there meant, since by the true intent of the Act Concerning Religion every Church professing to beleive in God the father Sonne and holy Ghoste is accounted Holy Church here.

2^{dly} Because by the Acte entituled an Act concerning Religion It is provided that noe pson whatsoever professing to beleive in Jesus Christ shall be molested for or in Respect of his or her Religion or the free Exercise thereof, and vndoubtedly preacheing & teacheing is the free Exercise of every Churchmans Religion and upon this I craue Judgem^t

To the first and second Poynt, in the Informacōn putt ag^t the s^d Francis Fitzherbert, The demurrer is allowed. The third Poynt depends upon the two first and is allowed The opinion of the board is that it is neither Rebellion [nor] Mutiny to utter such words as is alleadged the fourth . . .

Vpon the peticōn of John Nuttwall

Ordered that M^r Elzey and M^r Wright appeare att the next Provinciall Co^{rt} to accquaynte the Co^{rt} with M^r Nuttwalls busines, and that Sumons issue to the said Elzey and Wright for their appearance.

Re Nuttall
p. 1083

Ordered that Penelope Hall her busines be referred till the next Pro^{all} Co^{rt}

Attorney
General v.
Hall

Vpon the Informacōn of his Lop^s Attorney touching the Estate of Joseph Lintall.

Re Lintall's
Estate

Ordered that Francis Pope appeare att the next Provinciall Co^{rt}

The next Co^{rt} is appoynted by the Leiutenn^t Generall on the first Tewsday in October next.

Date of
Court
Session

Thomas Gerrard demands Sumons for Cap^t Rob^t Vaughan to testefye in causa Snowe & Gerrard.

Snow v.
Gerrard

Subpa mde to the Sherriffe of Kent County.

John Lumbrozo dem^{ds} a writt to arrest John Hamond in an accōn of the Case, Warr^t mde to the She. of S^t M. C.

Lumbrozo v.
Hammond

Marmaduke Snowe dem^{ds} a writt to Sumons John Nevell to testefye in causa Snowe & Gerrard

June 16th
Snow v.
Gerrard

Subpa mde to John Gittings to serue ret. next Co^{rt}

William Cole dem^{ds} a writt to arrest Richard Games in an accōn of the Case

July 20th
Cole v.
Games

Liber
P. C. R. Warr^t mde to the Sherriffe of St Marys County to arrest ret. the
next Pro^{all} Co^{rt}

warr^t mde to the Constable to apprehend Richard Games to finde
suretys for his good behaviour

July 29th
Smith v.
Haddaway Henry Heylyn Attorney of Co^{tt} Rob^t Smith dem^{ds} a writt to arrest
Rowland Haddoway in an accōn of Baltemore and Anne

p. 1084
Cornwaleys
v. Michell John Abington Attorney of Cap^t Thomas Cornewallis demands a
writt to arrest Jacob Micheele in an accōn of debt to the vallue of
8000th Tob.

Warr^t mde to the Sherriffe of Baltemore County ret ut supra

Evans v.
Turner Co^{tt} W^m Euans demands a writt to arrest Tho Turner in an accōn
of the Case.

Warr^t mde to the Sherriffe of St Marys County to arrest &c. ret.
ut supra. Et. E cōn.

Attorney
General v.
Claiborne Cæcilius Absolute Lord and Proprietary of the Province of
Maryland and Avalon Lord Barron of Baltemore &c. To the Sherriff
of Calvert County Greeting Whereas W^m Cleybourne heretofore of
the Ile of Kent stands attainted by Act of Generall Assembly of this
Province dated 24th of March 1637 for Pyracy and murther whereby
his whole Estate both Reall & personall became forfeited then vnto
vs, And Whereas the s^d W^m Cleybourne & his Complices haue since
the s^d Attaynder Comitted many Outrages and open Acts of Hos-
tility by which we are dampnified att the leaste the vallue of 2000th
sterl: and for which haueing fledd from Justice he stands by Publick
Act of the Generall Assembly of this Province Exempted from
Pardon, And whereas wee are informed that the s^d W^m Cleybourne
hath of late Acquired some Estate within this Province whereby he
may be attached Theis are therefore to will and require yoⁿ forth-
with vpon Sight hereof to attache any the Estate Reall or personall
of W^m Cleybourne aforesaid, and att the same tyme to Cite or
Suñon Publikly the s^d W^m Cleybourne to appeare att the next Pro^{all}
Co^{rt} to be held at St Marys on the first Tewsday in October next
there to answer to such Trespasses, wasts, misdemeano^{rs} Contempts
and seditious practices As our Attorney shall haue to Charge him
with on our behalfe & then & there returne this writt Giuen at St
Marys this 7th August 1662. Wittnes our deare Brother Philip
Caluert Esq^r our deputy Leivtenn^t of our s^d Province

26th Aug.
1662
p. 1085
Cornwaleys
v. Boreman John Abington Attorney to Cap^t Thomas Cornwallis demands a
writt to arrest W^m Boareman in an accōn of the Case.
Warr^t mde to the Sherr. of St Marys County ret. the first day of
the next Co^{rt}

- John Little demands a writt to arrest Andrew Dickson and Griffith George in an accōn of the case. Liber
P. C. R.
Little v.
Dickson
Warr^t mde to the Sherr. of Calvert County ret. vt supra.
jdem con jdem accōn of the Case.
Warr^t mde
- John Hammond dem^{ds} a writt to arrest Walter Pakes in an accōn of the Case. Hammond
v. Pakes
warr^t mde to the Sherriff of S^t Marys County to arrest &c.
jdem dem^{ds} Subpa ad testificand Robert Slye & Hugh Stanley
Subpa mde
- Francis Batchelor dem^{ds} a writt to arrest Thomas Simpson in an accōn of the case Aug. 29th
1662
Batchelor v.
Simpson
Warr^t mde.
- James Clifton dem^{ds} a writt, to arrest Rob^t Macklane & Margaret his wife in an accon of defamacōn. Clifton v.
Macklane
warr^t mde to the Sherriff of S^t Marys County ret ut supra
- John Little dem^{ds} a writt to arrest Andrew Dickson and Griffith George in an accōn of the Case Little v.
Dickson
et al.
warr^t mde to the Sherr of Calvert County ret ut supra
Idem dem^{ds} a writt to arrest jdem in an accōn of the case
warr^t mde to the sherr of Calyert County ret ut supra.
. . . . issued M^r Richard Collett for Hannah Lee according
Jdem dem^{ds} Subpa to Sumons Robert Cager and Thomas Bennett p. 1086
to testefye &c.
Subpa made to the Sherr. of S^t Marys County
- John Warren dem^{ds} a writt to arrest Thomas Mathews as Execut^r to Cottens' will in an accōn of the Case. Warren v.
Mathews
Execr.
warr^t mde to the Sherr. of S^t Marys County ret ut supra.
- Rob^t Slye dem^{ds} a writt to arrest W^m Battin accon of the case. Slye v.
Battin
Warr^t mde to the Sherriff of S^t Marys County &c
- Thomas Gerrard Esq^r demands a writt to arrest George Reynolds in an accōn of Debt to the vallue of 2800^{tb} Tobacco. Gerrard v.
Reynolds
warr^t mde to the Sherriff of S^t Marys County ret ut supra.
- jdem dem^{ds} a writt to arrest George Thompson in an accōn of the Case to the vallue of thirty thousand pounds of tobacco and Caske. Gerrard v.
Thompson
warr^t mde to the Sherr. of Charles County ret. ut supra :

Liber
P. C. R.
Abington
v. Lowry John Abington demands a writt to arrest W^m Lowry in an accōn
of the case
Warr^t mde to the Sherriff of Calvert County ret (ut supra)

Johnson v.
Gerrard Daniell Johnson demands a writt to arrest Thomas Gerrard in an
accōn of debt
Warr^t mde to the Sherriff of S^t Marys County to arrest &c. ret ut
supra :

Turner v.
Evans Thomas Turner demands a writt to arrest Cott W^m Evans in an
accōn of the Case in Chancery
warr^t mde to the Sherriff of S^t Marys County to arrest &c. ret ut
supra :

Evans v.
Clarke Cott W^m Evans ffeoffee in trust to the Estate of John Medley
dem^{ds} Sumons ag^t M^r Robert Clarke in an accōn of the Case. Sum-
ons mde

Fendall v.
Hatch Cap^t Josias Fendall dem^{ds} a writt to arrest John Hatch in an accōn
of the Case 4000th tob. vallue. Warr^t mde C. C. sher.

p. 1087
Little v.
Dickson John Little demands Subpa ad testificañd Gabriell Bartley and
Sampson Warren to testefye in Causa Little, & Dickson & Griffith
George.
Subpa mde to the Sherr. of Calvert County

Stanley v.
Burdett Hugh Stanley demands a Sumons in Chancery ag^t Thomas
Burdett.
Sumons mde to the Sherriff of Charles County &c.
jdem dem^{ds} Subpa ad testificand James Jolly and Griffith George
& Andrew Dickson to the Sherr of S^t Marys C.

Lumbroso v.
Hammond John Hamond dem^{ds} Subpa Luke Gardner int suite of Lumbroso,
subpa mde to the Sherr of S^t Marys County.
Jdem demands Subpa in the same Case for Robert Macckey Subpa
mde to the Sherr of Calvert County.

Barber v.
Morley Doctor Luke Barker dem^{ds} a writt to arrest W^m Morley in an
accōn of the Case.
warr^t mde to the Sherr. of S^t Marys County &c.

Stanley
Adminr v.
Senserfe
Adminr Hugh Stanley Amd^r to Gyles Sadleir dem^{ds} a writt to arrest
Richard Smith Attorney of Walter Senserfe Adm^r of James Scapes
in an accon of the Case
warr^t mde to the Sherr. of Calvert County &c.

Christean Holte dem^{ds} Subpa ad testificand for W^m Wilkinson
Elizabeth Hatton & James Hall.

Subpa mde to the Sherr. of S^t Marys County

Liber
P. C. R.
Re Holt
vide 3 Md.
Arch. Coun.
463

Peter Achillis demandeth a warr^t agt John Lumbroso in an accōn
of the Case.

Achillis v.
Lumbroso

warr^t mde to the Sherriff of S^t Marys County

Nicholas Young demands a writt to arrest Robert Slye in an
accōn of debt.

Young v.
Slye

Warr^t to the Sherriff of S^t Marys County to arrest &c.

.... for Cap^t Boarman to

.... a writt to arrest Daniell Clocker in an accōn of the Case

warr^t mde to the Sherriff of S^t Marys County to arrest &c.

_____ v.
Clocker
p. 1088

Robert Maccklyn demands a writt to arrest John Pollard in an
accōn of defamacōn.

Maccklyn v.
Pollard

Warr^t mde to the Sherriff of S^t Marys County to arrest &c.

jdem dem^{ds} Subpa W^m Innis Christopher Humphrys and W^m
Moron to testefye &c.

Marks Pheypo dem^{ds} a writt to arrest W^m Smoote & Richard True

Warr^t mde to the Sherr of Charles County &c.

Pheypo v.
Smoote &
True

George Gooding demands a writt to arrest George Bradshawe in
an accōn of the Case

Gooding v.
Bradshaw

Warr^t mde to the Sherr. of Charles County to arrest &c.

Daniell Johnson dem^{ds} Subpa for Rob^t Henley and Edmund
Pinson to testefy in Causa Johnson & Gerrard

Johnson v.
Gerrard

Sumons mde to the Sherr of Charles County &c.

At a Provinciall Co^{rt} held att S^t Marys on the 7th October 1662

p. 1089
Oct. 7

Present Charles Calvert Esq^r Gouvernor Philip Caluert Esq^r Dep-
uty Leiutenn^t and Chancellor Henry Sewall Esq^r Sec^r Baker Brooke
and Henry Coursey and Rob^t Clarke Esq^{rs} Councillors.

The p^{te} peticōn being read the def^t alleadged that there was
nothing but a Coppy of a deed produced that till the Originall was
produced he ought not to answere and therevpon Cited the lord
Cooke whereupon the Co^{rt} tooke tyme to Con But Marmaduke
Snowe imediately produceing the Originall deeds the Co^{rt} was called
again Whereupon was read a deed produced by the p^{lt} signed Abell
Snowe attested by Thomas Bayley Walter Snowe and Edward Lees

Marmaduke
Snowe v.
Thomas
Gerrard p.
Attornates
Thomas
Manning,
and Thomas
Notley

Liber Conveying the Estate here demanded vnto Jdith Snowe mother to
P. C. R. the s^d Abell dated 27th June in the 18th yeare of the Sou^raigne Lord
 Charles &c Annoq^e domini 1642 which the def^t desired might be
 proved to be the deed of Abell Snowe whereupon the said deed was
 Confronted with the Coppy to which Walter Snowe and Edward
 Lees made oathe that itt was a true Coppy before S^r Richard dyott
 one of the M^{rs} of the Chancery in the Kingdome of England which
 Coppy now remaynes vpon Record with the attestacon of S^r Richard
 Dyott which Coppy did agree verbatim with that deed now produced
 as the Originall deed by Marmaduke Snowe the p^{lt}. Then was
 read a deed from Jdith Snowe to Marmaduke Snowe Conveying the
 Estate menconed in the former deed of guift vnto Marmaduke
 Snowe her sonne beareing date first June 1649 attested by William
 Fynney and Thomas Sutton John Oulsnam Robert Turner which
 was likewise Confronted with a Coppy to which W^m Fynney and
 Thomas Sutton made oathe that itt was a true Coppy and that their
 names together with two more wittnesses thereto subscribed were
 heir owne proper hand wryting and attested by S^r Richard dyott one
 Master in Chancery as aforesaid which Coppy was found to agree
 with the Originall Whereupon they proceeded And . . . p Attornates
 Thomas Manning and . . . abatem^t to the peticōn for . . . Jdith
 Snowe his mother . . .

Oct. 8
 p. 1090

Wednesday the Eighth of October 1662

Present as Before.

Then was resumed the debate of the busines Between Marmaduke
 Snowe p^{lt} and Thomas Gerrard def^{ts} wherevpon the Co^{rt} ordered
 that the writt doe abate, and that the Bond wherein M^r Gerrard was
 bound not for to imbezill his Estate, and to make his appearance att
 the Co^{rt} be delivered in which was done accordingly

Marmaduke Snowe p Attornat John Hammond demands Scire
 facias for Thomas Gerrard to make his psonall appearance att the
 next Provinciaall Co^{rt} there to shew Cause why Execucōn should not
 issue vpon the Judgem^t Confest by the s^d Gerrard in England.

Ordered that he haue a Scire facias according to his Demand.

Parratt v.
 Belcher's
 Estate

To the Hono^{ble} the Gouvernor & Councell of Maryland

The humble peticōn of W^m Parratt Sheweth That whereas Thom-
 as Belcher is indebted to yo^r pet^r six hundred and sixty pounds of
 tobacco and Caske yo^r pet^r humbly Craues order for the said debt and
 he shall pray.

Vpon the peticōn aboue written M^r John Bateman Adm^r of the
 said Belcher Confesseth Judgem^t for the aforesaid Sume of six
 hundred and sixty pounds of tobacco, . . .

Then was Called before the Board Peter Sharpe and John Gary who were suspected to Breake open the Govern^{rs} letters and for prooffe thereof was produced theis following papers. Aboute the first weeke of July there came a letter from the Governor directed to M^r Edward LLoyd & the lawes of the Country rowled vp which were both well sealed & deliuered to me Thomas Manning which I safely deliuered the same to James Elton in like manner Sealed

Liber
P. C. R.
Attorney
General
v. Sharpe
et al.
p. 1091

Tho. Manning

This I acknowledge to be the truth James Elton.

And James Elton declares that he delivered the s^d letter and Rowle of the lawes well sealed to Henry Kent which Henry Kent acknnowledged to be true.

And Henry Kent declared that he deliud the s^d letter & Rowle of the lawes well sealed to Thomas Dawbone which Thomas Dawbone acknnowledged to be true.

And Thomas Dawbone declared that he deliued the said letter and Rowle of the lawes well sealed to Thomas Evans which Thomas Evans acknnowledges to be true and they were p^rsently deliued in like good Condicion to W^m Sparkes of the same howse which he acknnowledges to be true.

And the s^d W^m Sparkes declares that he deliued the s^d letter and Rowle of lawes well Sealed to Isaack Abrahams which Isaack Abrahams acknnowledged to be true.

And the s^d Isaack Abrahams declares that he deliued the said letter and Rowle of lawes well Sealed to Tho: Eldrid which Thomas Eldred acknnowledged to be true

And the s^d Thomas Eldrid declares he deliued the said letter & Rowle of lawes well sealed to John Boulton Boulton acknnowledged to be true that he deliued the

And Robert Harwood declares that he deliuered the letter and lawes of the Country well sealed to Peter Sharpe and they were safe deliuered to his servant Margery Greiue which she acknnowledges to be true And Margery Greive declares that she deliuered the letter and lawes to Nicholas Carr But Nicholas Carr affirmes vpon oathe that when the letter and Rowle of lawes were brought to him the Seale of the letter was defaced and some of the Seales of the Rowle And the s^d Nicholas Carr tould Tomazin Kent who was then there & that somebody had been nibling about th^t that did not Concerne them and the s^d Nicholas Carr affirmes vpon oathe that he p^rsently called his Boy Henry Bruff to carry the s^d letter & Rowle of lawes to the next howse to Tobias Miles

p. 1092

Nicholas N Carr his marke

Sworne before me this 6^t Sep^t 1662 Tho. Manning

The Mayd is Peter Sharpes Servant who when she was from her Masters howse in a manner denyed what she tould me there And

Liber Rob^t Harwood tould me that John Gary was fingring the lawes of the
P. C. R. Country and sayd he would very fayne reade them, And Francis
Riggs tould me that Doctor Stansby would sweare the letter had
been sealed with Salue

Tomazin Kent and Martha Carre affirme vpon oathe th^t the Seale
of the letter & lawes were defaced when they were brought to
Nicholas Carrs howse Tomazin T Kent his marke

Sworne before me 6^t Sep^t 1662 Tho. Manning

p. 1093 And the said Henry Bruff declares that he deliued the said letter
and lawes in such Condiçō to Tobias Miles which Tobias Miles
acknowledges to be true.

And the s^d Tobias Miles deliuered the s^d letter and Rowle of
lawes in such Condiçō to Robert Humfrey and the s^d Robert Hum-
frey affirms that the letter was broke open which Tobias Miles
acknowledges to be true.

The depⁿ of ffrancis [Riggs] aged 26 yeares or thereabouts this
27th Sep^t 1662 Sayth That being at Cap^t Samson Warings he heard
Cap^t Manning and other people discourse Concerning the breaking
open of the Governors letters & by all circumstance they found
that they were broke open att Peter Sharpes And that John Gary
wisht he could see the Acts of Assembly & that he this depon^t heard
John Stansby say that when the letters that were goeing vp came to
their howse he found them sealed with some Salue and further
sayth not Francis Riggs

Jurat Coram me Philip Calvert

Margery Greive sworne in open Co^{rt} sayth that she had the letter
from her Mistres and that the Seale of the Rowle was whole, but
knoweth nothing of the letter John Gittings Clre.

Ordered that Cap^t Thomas Manning examine vpon oathe Edward
Lees or any other person concerning the breakeing open of letters
that if they refuse to sweare for to binde them over to the next Co^{rt}

p. 1094 the said Augustine Herman the Summe of one thousand five hundred
Herman p. ninety two pounds of tobacco by accopt which remaynes still vnsat-
Atty. tisfyed. In Consideracōn whereof yo^r pet^r humbly craues an order
Richard for the s^d Tobacco. And he shall pray &c.
Collett v. Daniel
Clocker

Execr. of Coff John Price is Debtor vnto M^r Augustine Herman as appeares
Col. Price by the note of perticulers

[Coyne = Cognac?]	To one hhd and 7 Gallons of the best white coyne	}	1 tob
	and one double Barrell of Strong Beere amounts to		1640
	To 36 deale Boards att 20 foote a peece att 1 th p foote		0726
	due vpon the last yeares Accompt.		0202

2568

Creditor ꝓ Contra

By Beefe and Porke	0249	Liber P. C. R.
By 2 hhds of tobacco ^t net 787 ^t which are still remaying in the Tob howse marked with his marke	0787	
	1036	
Remaines due	1532	
	2568	

In the former Acc^o there was forgotten to be charged one Bushell and halfe of pease

These Things were delivered to the Overseer & especially to M^r Hide who knowes all things and the acc^o of ꝓticulers betweene vs.

At a Co^{rt} held att Newtowne for the County of S^t Marys the 11th of December 1661

Present James Neale Esq^r Councell^r
 Coll W^m Evans } M^r John Lawson }
 M^r Tho: Dent } M^r Tho. Turner } Com^{rs}
 M^r Rich. Willan } M^r Richard LLoyd }

Francis Ward aged 25 yeares or thereabouts Sayth the same p. 1095
 verbatim with Henry Hide & further Sayth not Francis Ward

Copia vera teste me Walter Hall C^{lr}k.

The ꝓt sueth ꝓ[ro]ut in peticōn And the def^t confessing the debt
 It is Ordered that he pay fifteene hundred and ninety two pounds of
 Tobacco to the ꝓt vnles bring Receipts for itt.

This Cause is Respitted till to-morrow morning.

Henry
 Francomb p.
 Attorn.
 Thomas
 Manning v.
 John
 Wheeler
 Fendall v.
 Kidson

To the Hono^{bte} Gouvernor & Councell of the Province of Maryland

The humble petⁿ of Josias ffendall Humbly sheweth That W^m Kidson
 Servant to M^r John Hatch did without yo^r pet^{rs} order or
 knowledge carry two Young horses of yo^r pet^{rs} from place to place
 whereby one of them rec^d his death And although yo^r pet^r will not
 directly Charge him with killing the horse with his owne hand yett
 by the Evidence itt may be very probably Conjectured.

Wherefore the ꝓ^rmisses considered yo^r pet^r doth humbly
 Honors will be pleased to take itt yo^r The def^t W^m Kidson p. 1096
 denyes that he did Carry the horses from place to place but sayth
 that he did ride vpon a Mare before them from his Masters howse
 to Cap^t Fendalls with intent to carry them to Cap^t Fendalls which
 Mare they followed and which was done by ord^r from his Master.

Warr^t to the Sherriff to impannell a Jury

The Sherriff returned his writt & warned

Liber
P. C. R. Nicholas Young Foreman George Reynolds Robert Maccklane
Thomas Bennett Robert Cager German Gillett Henry Hide Marke
Pheypo Francis Hill George Thompson W^m Hatton & Francis
Batchelor Gent. who takeing the whole busines into their Custody
together with the deposicōns here under written withdrew and went
to trye the Cause, and after some tyme returned and brought in their
Verdict endorsed on the backside of the declaracōn and answere thus
(vizt) It is the Verdict of the Jury that the def^t is guilty.

Mr John Hatch aged fifty yeares or thereabouts sworne and ex-
amined 14th August 1662 Sayth That Cap^t Fendalls two young
horses being with this depon^{ts} Mare in his Corne feild, he Caught his
Mare and bid his Serv^t W^m Kidson to ride on her to Cap^t Fendalls
and carry his horses home and tell him of them And further sayth
that he remembers he heard the Children or Servants say that the s^d
Kidson when he was goeing with the horses tooke vp in his hand a
burnt sharpe locus Stake and further sayth not.

Jurat coram me James Neale.

p. 1097 M^{rs} Alice Hatch aged 44 yeares or thereabouts sworne and Exam-
ined Sayth and after he rose he run very stoutly as if he were
not hurte; and did leape over the fence into the Corne-feild and soe
into the woods, after this depon^t sawe them not, this depon^t was
tould by her sonne John that their Serv^t sayd att his returne that
Cap^t ffendalls man had jeered him, but they needed not for he had
given one of them enough intending by Jeereing and further sayth
not.

Jurat coram me James Neale.

John Taylor aged 20 yeares or thereabouts Sworne Sayth That
when Cap^t ffendalls horses went from his Masters Cow penn he this
depon^t sawe noe hurte that either of them had, nor heare of any
hurte they had and further sayth not.

Jurat coram me James Neale

Rob^t Cooper aged 17 yeares or thereabouts sworne sayth that
when Cap^t Fendalls horses went from his Masters plantacōn he
knowes not of any hurte they had and further sayth that he sawe W^m
Kidson when he went to carry home the horses take with him a long
sloping Stake sharpe att one End and further sayth not.

Jurat coram me James Neale

Jacob Griffyn aged 13 yeares or thereabouts sworne Sayth That
when Cap^t ffendalls horses went from his Masters plantacōn he sawe
noe hurte they had & further sayth that he sawe W^m Kidson that
went home with them haue a long sloping stake in his hand burnt and
sharpe att one End and further sayth not

p. 1098 with this depon^t to take care of them, and sayd he would
not watch them day and night to which this depon^t replied what is
itt to me, but desired Cap^t Fendalls mayd to goe tell her Master,
which she did and this depon^t went to lyte his pipe and Cap^t Fendall

came immediately out, But M^r Hatches man had taken the Mare and rode as hard as he could away And then Cap^t ffendall and this depon^t lookeing att the horses espyed one of them hurte with his gutts hanging out, which horse that same day dyed & further sayth not

Jurat coram me James Neale

Elizabeth Holte serv^t to Cap^t ffendall aged 18 yeares or thereabouts sworne Sayth That on Whitsunday earely in the morning one of M^r Hatches men came to her masters howse & sayd he had brought home two of her Masters young horses This depon^t went vnto her Master & tould him & comeing out againe tould the fellow her M^r was comeing but he would not stay but tooke horse & ridd as hard away as he could and this depon^t further sayth that she heard M^r Hatches man say that he would not watch the horses day and night, but if they came there againe he would sett them home in the divells name, and this depon^t goeing p^rsently after to milke sawe one of the horses running aboute with his Gutts hanging out and further sayth not.

Jurat Coram me James Neale

Henry Jaques Servant to Cap^t Fendall aged 24 yeares or thereabouts sworne Sayth That Comeing from his Masters Quarter to his howse he saw there a Young horse of his Masters with his Gutts hanging out and that Hatches howse he found M^r Hatch att Nine piñs with his Servants Soe that he Could not Enquire any thing of them But M^r Hatch himselfe tould this depon^t that his Masters young horses had been there for sayd he that Logerhead my man Will brought th^m from the ould Plantacōn last night and I kept th^m vp all night and this morning sent them home But if they come here againe Ile send them home in the divells name vpon which this depon^t demanded of M^r Hatch if he had done any hurte & he sayd noe they had done noe hurte But the Mares had Eate his Corne out of the howse in the wynter all which when this Depon^t Came home he related to his Master whereupon his M^r desired M^r and M^r Lomax to goe and beare his s^d M^r Company to see the Blood that this depon^t had tould th^m off And also Commanded this Depon^t to goe with them and shew itt them which he did and further sayth not.

Jurat Coram me James Neale

M^r Thomas Hotley aged 28 yeares or thereabouts sworne the 29th Aug. 1662 Sayth That he this Depon^t being att Cap^t Fendalls howse the night before Whitsunday in the morning earely heareing a Noyse in the Yard he rose & comeing downe helped Cap^t Fendall to catch one of his horses Running aboute with his Gutts hanging out which this Depon^t heard Cap^t ffendalls people say that M^r Hatches man brought home with another horse and after Cap^t Fendall had Caught the horse & him this Depon^t heard Cap^t Fendall bid one of his men goe towards M^r Hatches and see if he could track horses Blood cutt whose returne he reported he into M^r Hatches cleare

Liber ground Cap^t . . . Thomas Lomax . . . was perfectly to be diserned
P. C. R. and further sayth not.
p. 1100

Jurat Coram me James Neale

After Verdict deliuered, this Cause is Compounded; and the plt
to pay Costs of Suite.

Lumbrozo v. The plt haueing nothing to say A Non suite is granted to the def^t
Hammond

Capt. Thos.
Manning

Attorney of
John

Abington

v. Jacob

Michelle

To the hono^{bte} the Gouvernor & Councell of Maryland

The humble peti^{cō} of John Abington Sheweth That Whereas
Jacob Micheelson is indebted to Cap^t Thomas Cornewallis five
thousand two hundred pounds of Tobacco and Caske, and should
haue been payd in the yeare 1659 as by the Bill more fully appears.

Yo^r pet^r humbly craves Judgem^t for the said debt with interest and
Cost of suite and he shall pray &c.

Knowe all men by theis p^rsents that I John Abington of S^t Marys
County doe appoynte my freind Thomas Manning of the Cliffes to
be my lawfull Attorney in all Causes depending which are against
me in the Province of Maryland & what he shall doe or cause to be
done I doe Rattifye and

p. 1101 The plt sueth p[ro]ut in pet. The writt which was to arrest the def^t
is not returned, therefore Respitted.

Greene's This day came Elizabeth Greene and W^m Greene her husband and
Bail Bond George Marshall and accknowledged to owe to the Lord Proprieto^r
the full & just Sum^e of 20th sterling that is to say the s^d Elizabeth
Greene and W^m Greene did accknowledge to owe the Sum^e of fif-
teene pounds and the s^d Marshall the Sum^e of five pounds if the said
Elizabeth Greene shall not keepe the peace towards all the people of
this Province especially towards James Woosey & make her appear-
ance att the next Pro^{all} Co^{rt}

Col^l Both referred to the next Co^{rt}

William

Evans v.

Thomas

Turner

Et E. con.

William

Battin v.

Robert Slye

Robert Slye

v. W^m

Battin p.

Attorn. Cap^t

Fendall

p. 1102

Respitt till to morrow

This Bill bindeth me Cap^t William Battyn of Pikaiwaxen in the
Province of Maryland Merchant my heires Executors Administra-
tors or Assigns to pay or Cause to be payd to Samuell Smith or his
order the full and just Quantity of six thousand five hundred pounds
of good sound well Condicoⁿed tob: and Caske to their or either
of their Likeing in the aforesaid Province of Maryland att or before
the 10th day of October next ensueing the date hereof In Wittnes
whereof I haue herevnto sett my hand this 26th day of March 1661

The mke WB of W^m Battyn

Testes Mary Vander Dounck Mathew Clarke.

Knowe all men by theis p^rsents that I William Battyn of Charles County in the Province of Maryland Merch^t doe hereby authorize Constitute, and appoynte Cap^t Josias ffendall my true and lawfull Attorney in my name and stead to pleade to and answeare to all Suites in Lawe Comēced for or against me to the next Provincia^ll Co^rt to be held att S^t Marys hereby Rattifying and alloweing whatsoever my said Attorney shall doe therein to be as fully in force as if I my selfe were personally present Wittnes my hand 4th October 1662

Liber
P. C. R.
Robert Slye
Adm^r to
Samuell
Smith v.
Capt. Josias
Fendall
Attorney to
W^m Battyn

The WB marke of W^m Battyn

Testis Edmund Pinson Dan Johnson

The p^lt sueth for six thousand and five hundred pounds of tobacco and Caske due from

Luke Gardner came into open Co^rt and ackknowledged the Sale of a Pattent of 200 acres to Hugh Hopewell

Vpon the peticōn of Co^ll W^m Evans against M^r Rob^t Clarke for 300th Tob and Caske due by Bill the said M^r Clarke Confesseth Judgem^t for the aforesaid Sum^e.

p. 1103
Evans v.
Clarke

To the Hono^{ble} the Gouvernor & Councell of the Province of Maryland

The humble peticōn of William Battyn Sheweth That whereas M^r Samuell Smith dec^d his heires or Executors stands indebted to yo^r pet^r two Mares and one foale as also 300th Tobacco and Caske; and funerall Charges, Therefore itt is the humble request of yo^r pet^r to Grant him an order for his said debts And he shall pray &c.

Battyn by
Atty.
Fendal v.
Robert Slye
Admr. to
Samuel
Smith

The p^lt sueth pro ut in petⁿ The def^t pleades that he is not heire nor Executor but Administrat^r and therefore desires the writt may abate which was granted.

The Co^rt ajourned till 9 of the Clock in the morning

[Thursday the 9th of] October 1662

Oct. 9
p. 1104

In Consideracōn of which the abouesaid Samuell Smith doth binde himselfe his heires or Assigns to withstand sattisfye or pay vnto M^r Cornelius Stenwick whatsoever Bonds bills or Acc^{ts} the said Stenwick hath to charge the said Batting with (vizt) A Bill of M^r Richard Lords, and one Bill of M^r Augustine Hermans, and whatsoever Accompts else from the beginning of the world vntill this day as Wittnes our hands this 27th of Oct. 1660

Knowe all men that the partyes abouesaid are to performe this their agreem^t by the last of March next As Wittnes our hands and Seales

The mke of WB William Battyn ⊕ Samuell Smith ⊕
Testis Edmund Pinson Robert Robins Thomas Stone

Liber
P. C. R.

May the 8th 1661

Rec^d of Cap^t William Batting foure thousand pounds of Tobacco in full of all Acc^{ts} betwixt the s^d Batting and Cornelius Stenwick I say rec^d the day and yeare aboue written p me That is to say for M^r Augustine Herman and for all debts or demands Concerning his Negros bought by the s^d Batting Sam: Smith

Ordered that M^r Slye secure foure thousand pounds of tobacco in his hands out of the Estate of Samuell Smith deceased, and that he doe soe farr forth secure Cap^t W^m Battyn against any demands of Cornelius Stenwick to be made vpon any Bonds bills or Accompts due from the said Battin to M^r Richard LLord or M^r Augustine Herman And also all acc^{ts} from Stenwick to Battyn from the date of
p. 1105 the Condiçōn aboue mencōned . . . of seven thousand seven hundred Eighty six pounds of tobacco and Caske with 2 yeares forbearance which att 8th in the hundred comes to one thousand two hundred ninety and foure pounds of tobacco & caske Therefore yo^r pet^r in the behalfe of the Administrato^{rs} Craveth order for the aforesaid Sume of nine thousand and Eighty pounds of tobacco and Caske with Costs of Suite And yo^r pet^r as in duty bound shall pray &c.

This bill bindeth me W^m Battin of Pikaiwaxen in Maryland Merch^t me my heires Executors & assigns to pay or Cause to be payd vnto M^r James Scapes in Company Merch^t of North Yarmouth in the County of Norrige in England heires Executors or Assignes the full and iust Sumē of nine thousand seaven hund^d sixty and six pounds of good sound merchantable Leafe tobacco and Caske to be payd Betwixt Brettons Bay and Portobacco in Potowmack river att or before the 10th day of October next As Wittnes my hand this 28th of March Anno dñni 1660 W^m WB Battin marke

Testis Edmund Pinson Peter Mills his P marke.

Vpon the back of which Bill was writt this receipt (vizt) Received by me W^m Dorrington in parte of payment of this Bill of W^m Battyn for the vse of James Scapes the Sume of 2213th of tobacco I say rec^d by me W^m Dorrington.

Richard Smith the Attorney ol
Walter Senserfe & Henry . . .
p. 1106
John Hammond v. Walter Pakes James Clifton v. Robert Maccklane et ux.
Little v. Dickenson & George

The pht sues pro ut in petⁿ The def^t confesseth Judgem^t for . . .
tobacco & caske wth Costs

Reffered till next Co^{rt}

The phte peticon being read The def^t desires that the writt may abate in regard of the Error in the declaracōn whereupon a Non suite was granted to the def^t

To the hono^{ble} the Gouvernor and Councell of the Prouince of Maryland

The humble pticōn of John Little Sheweth That Andrew Dickenson and Griffith George stands Indebted to yo^r pet^r twelue thousand

pounds of tobacco in caske for which he prayeth order with costs
occasioned And he shall pray &c. Liber
P. C. R.

Be it knowne vnto all men by theis p^rsents that I John Little in the County of Calvert Planter haue Constituted Ordained and made M^r John Hammond of the County of S^t Marys in the Province of Maryland my true & lawfull Attorney to aske require leavy and receive in my name for me and to mine vse all manner of debts whatsoever they be of all manner of persons in any wise to me due pertayning or belonging in any parte or place within this Province, or to Constitute an other Attorney Giving & granting to my said Attorney my full & whole power and authority in the p^rmisses to playnt arrest, Sue declare, impleade imprison cause to be Condemned and to release the s^d debtors, recouer & receive for me and in my place, as is mentioned afore all & singuler things, that shall be expedient

Knowe all men by theis p^rsents that wee Andrew dickson and Griffyn George of the Hunting Creeke in the County of Calvert Planters doe binde our selues our heires Executors Administrators or Assigns to pay or cause to be well and truly payd vnto John Little of the same place & County Planter the Sume of twelue thousand pounds of good merchantable Tobacco and Caske to be payd the tenth of October next Ensueing the date hereof As Wittnes our hands & Seales this 13th day of May 1661 p. 1107

signed Andrew A D Dickson signed Griffyn M George

Signed Sealed and deliuered in the p^rsence of us Samson Waring Gabriell Barkeley

The Condiçō of this Obligacōn is such that if the aboue bounden Andrew Dickson or Griffyn George or either of them their heires or Assigns doe deliuer Betweene the date hereof and the latter end of Whitson weeke two Bills the one beareing date and payable the 10th of October 1661 and the other payable the 10th of October 1662 wherein John Little standeth bound to Thomas Leitchworth and Oliver Geery in the Sume of 6583th Tob. of tobacco that then this Bond to be voyd and of noe effect or else for to stand in full force and vertue Wittnes our hands & Seales the day and yeare aboue written

signed A D Andrew Dickson signed M Griffyn George

Signed Sealed & deliuered in the p^rsence of us Samson Waring Gab: Barkeley

The p^rt sueth p[ro]ut in petiçōn for 12000th tob. The def^t answeres that he has fully Complied with the Bond and the Co^rt haueing fully heard both parties

To the hono^{ble} the Gouvernor and Councell of the Prouince of Maryland p. 1108

The humble petiçōn of John Little Sheweth That Andrew Dickin-son and Griffith George stands indebted to yo^r pet^r tenn thousand

Liber pounds of tobacco with caske as by Bond appeareth for which he
P. C. R. prayeth order with Costs of Suite And he shall pray &c.

Knowe all men that wee Andrew dickson and Griffyn George of the Hunting Creeke in the County of Calvert Planters doe binde our selues our heires Executors or Assigns to pay or cause to be payd vnto John Little of the same place and County Planter his heires Executors Administrators the Summe of ten thousand pounds of good merchantable Tobacco and Caske to be well & truly payd att or before the 25th day of december next ensueing the date hereof As Wittnes our hands & Seales this 13th day of May 1661

Signed Andrew A D Dickson signed Griffyn M George

Signed Sealed & deliuered in the p^rsence of us Samson Waring Gab. Barkley

The Condiçōn of this Obligacōn is such that if the aboue bound Andrew dickson and Griffyn George doe deliuer and make over one able man servant Betweene 14 and 26 yeares of age for the Tearme of foure years Service vnto the abouesaid John Little or his heires or Assigns, and to make paym^t of One thousand nine hundred and fiftene pounds of good Merchantable Tobacco and Caske vnto the s^d Little by the 25th of December next and to and saue harmles from one Bill of fiftene hundred and fifty pounds of tobacco wherein the said Little standeth bound vnto the Estate of Richard Hicks deceased that then this bond for to be voyd and of noe effect otherwise for to remayne in full force & vertue

p. 1109
jdem p^{lt}
jdem dēft

The p^{lt} sueth p[ro]ut in pet The def^t pleades non est factum wherevpon the Co^{rt} Considered and

Ordered that the Bill for 1550th tob be imediately delivered to the p^{lt} that the def^t doe pay to the p^{lt} by the 10th of December next the Summe of 1915^t Tob. and one able man servant or else pay the forfeiture of the Bond being ten thousand pounds of tob.

Warren v.
Mathews
vide 1
Baldwin 7

To the Hono^{ble} the Gouvernor & Councell of Maryland

The humble petiçōn of John Warren Sheweth That Edward Cotten dec^d did by his last will & testament amongst other legacies by him bestowed ordaine and bequeathe vnto Ignatius the sonne of yo^r pet^r a Mare foale, which the care of performance caused him to express doubly and theis words (vizt)

I give vnto M^r Starkey my ould Chesnutt Coloured Mare Provided that the aforesaid M^r Starkey doe give vnder his hand a specialty vnto John Warren that he shall deliver and give vnto him the first Mare Colt that the aforesaid Mare shall bring which shall be for his sonne Ignatius Warren which I give vnto him.

And leaste the s^d Ignatius should be frustrate of haveing & Enjoyeing a Mare foale certaine, he adds thus, I doe give vnto Thomas Mathews the Younger, the young Mare two yeares ould Provided

that if she doe bring a Mare foale, before M^r Starkeys Mare that it shall be given to Ignatius Warren Now soe itt is may it please yo^r Honors that vnknowne to the Donator the said Mare of Thomas Mathews did first bring a Mare foale which properly belongeth to yo^r pet^{rs} Child It being a maxime in Lawe that animum Testandi is ever to be observed and followed for Edward Cotten not knoweing when he made this will that the Mare of young Thomas Mathews (which three dayes had brought forth a Mare foale) had Ignatius to have the first

Liber
P. C. R.

The p^lt sues p[ro]ut in petⁿ The def^t produces a Generall discharge from the said John Warren and further pleades that the foale bequeathed dyed before demand made of the legacy Ordered that M^r Thomas Mathews proue that the first foale of the Mare bequeathed to Ignatius Warren his Sonne given by Edward [Cotten] deceased be dead or lost before demand made by the next Provincia^ll Co^{rt}

p. 1110

The Administrato^{rs} of Cott John Price Confesseth Judgem^t in open Co^{rt} to John Nutthall in the Sum^e of three hundred and Eighty pounds of Tobacco two Armes Length of Roanoke and one pound of Beaver.

Nuttall v.
Prices
Adminr.

The humble peticoⁿ of Thomas Gerrard Sheweth That yo^r pet^r Commenced a Suite in New Towne Co^{rt} against one George Reynolds for Tobacco due by Bill in which Suite the Attorney of yo^r peticoⁿ was non suited vpon a p^tence of a Statute that noe bill shall be sued but in the County where itt was made

Gerrard v.
Reynolds

The p^rmisses Considered itt is the humble desire of yo^r pet^r that yo^r Honors would be pleased to Consider the greate Inconveniencies that soe dangerous a p^rsident may bring in this Province and graunt vnto yo^r pet^r an order for his just debt and he shall pray

The def^t denyes that he owes any thing to the said Thomas Gerrard and the said Gerrard not being able to prove any debt due to him selfe, but only a Bill due to Speake he is Non suited

Fryday the 10th of October past demise grant and to farme Lett vnto yo^r pet^r a parcell of land lying and being in this Province co^monly knowne and Called by the name of the Herring Creeke plantacoⁿ, being formerly the land of his Brother Thomas Bushell deceased, and Comeing and discending due to him as heire in Lawe from his said Brother Cout, aboute three hundred acres of land, with all buildings Edifices and Ereccoⁿs therevpon for a certaine tearme of yeares expressed in the s^d deed or Lease.

Oct. 10
Evans. v.
Hill
p. 1111

Which land and building when yo^r pet^r came to possesse and Enjoye he found one ffrancis Hill in present possōn there of imploying and makeing Trespass and waste vpon the same, and although

Liber yo^r pet^r legally dem^{ded} possession and forbid and forewarned the
P. C. R. said Hill further to intermedle therewth yett he still holdeth & per-
 sisteth in the same.

He Therefore prayeth that yo^r pet^r by Order of this hono^{bte} Co^{rt}
 may be in Quiett possōn thereof and the said Hill Ordered to pay
 damage and Costs of suite And he shall pray &c.

The Def^t answeres that he is possessed by the Guardians of Joseph
 Boulett and the Guardians pleade in behalfe of the Orphan Age
 Prier [right]

And the Board Considered that the Tryall was not Betweene Coff
 William Evans and Bolett, but Betweene Coff William Evans and
 Francis Hill which Hill being of full age they cannot allowe age
 prayer Therefore proceed to the prooffe

The Board finds Francis Hill guilty of the Trespass, The p^{it}
 proues the Lease Entry and Outry

p. 1112 M^r Robert Clarke sworne in open Co^{rt} sayth that he William
 Bushell as the Brother of and further sayth not of S^t
 Marys of the one party, and Coff William Evans of the County
 aforesaid of the other party Wittnesses That the said William Bush-
 ell for divers good causes and Consideracōns me therevnto moueing,
 haue demised granted and to farme Lett and by theis p^rsents doe for
 me my heires Executors and Administrators demise grant and to
 farme Lett vnto the said Coff William Evans all that Seate of land
 which was formerly Thomas Bushells Co^monly knowne by the name
 of the Herring Creeke Plantacōn being by Estimacōn three hundred
 acres be itt more or less, And all howses Edifices, Buildings Tobacco
 howses, Hen Howses hogg howses, Orchards Gardens Easements
 and Comodityes therevnto belonging or appertayning To haue and
 to hould the said three hundred acres of land and all other demised
 p^rmisses with the Appurtenances and every parte and parcell thereof
 vnto the said Coff W^m Evans his heires Executo^{rs} and Adm^{rs} from
 the day of the date hereof vnto the End and tearme of three yeares
 next ensueing yeilding and paying vnto the s^d W^m Bushell his heires
 Executors and Adm^{rs} one pepper Corne yearly att the nativity of
 our blessed Lord and Saviour if itt be demanded In Wittness where-
 of I haue herevnto sett my hand and Seale the day and yeare aboue
 written

W^m Bushell ⊕ his marke

Signed Sealed and delivered in the p^rsence of vs Tho: Bennett
 Robert Cager.

Thomas
 Gerrard v.
 George
 Thompson
 Thomas
 Daniell
 Johnson
 v. Gerrard
p. 1113

The p^{it} is Non Suited and to pay Charges.

To the hono^{ble} yo^r pet^r humbly Craveth order of Co^{rt} for the
 said debt with cost & Charge of suite And yo^r pet^r shall pray &c.

This Bill bindeth me Thomas Gerrard my heires and Assigns to
 pay or cause to be payd vnto Daniell Johnson or his Assigns the full

Sume of fwe thousand five hundred pounds of good sound Tobacco with caske fitt for Merchants vse which is for a valluable Consideracō already received and is to be payd vpon all demands As Wittnes my hand this 24th of February 1661

Liber
P. C. R.

Tho. Gerrard

Wittness Robert Henley his 1 marke Edmund Pinson Samuell Dobson

The def^t answeres that he did Signe such a Bill and other bills to Daniell Johnson but itt was vnjustly gotten at dice, The Wittnesses sweare th^t the bill was given in Consideracō of the delivery of another Bill given by Robert Henley to Daniell Johnson for five thousand five hundred pounds of tobacco

Ordered that the def^t doe pay vnto the p^{it} 5500th Tobacco and Costs of Suite

To the hono^{ble} the Gouvernor and Councell of Maryland

The humble petⁿ of John Abington Sheweth That whereas W^m Lowry doth vnjustly possess parte of yo^r pet^r hath Surveyed and Pattented as said William Lowry be my Trusty freind to be my true and lawfull Attorney in a Case depending Betweene M^r Abington and I the said W^m Lowry and doe hereby theis p^rsents give my Attorney full power to sue or impleade imprison or Release to acquitt or discharge in as full and ample manner as if I my selfe were there in p^{son} wherevnto I sett my hand and seale 26th Sep^t 1662

John
Abington p.
Attorn.
Cap^t
Thomas
Manning v.
W^m Lowry
p. Attorn.
James Jolly
p. 1114

the mke M of W^m Lowry

Testis George Hardesty Gab. Barkeley

The def^t by his Attorney James Jolley sayth that the land was surveyed for Alexander Maggruder and th^t he hath payd rent for itt but can produce noe Certiff^t of Survey out of the office nor vnder any Surveyors hand

This Cause is Respitted till next Co^{rt}

To the hono^{ble} the Chancellor of Maryland and Councell of State.

Stanley v.
Burdett

Hugh Stanley in humble manner Complayneth That in February 1660 Thomas Burdett Confessed Judgem^t to Thomas Trueman for a heifer and Calfe, the milke of th^t Heifer with Costs of Suite

The same Co^{rt} he arrested yo^r Orato^r but discontinued his suite ag^t October Co^{rt} following, he againe arrested yo^r Orator & obteyned order to pay him a Heifer and Calfe, with such dammage as he had payed the said Trueman. Yo^r Orator further sheweth that after the s^d order the said Burdett came vnto him and demanded 3000th of tobacco in lieu of that order but yo^r Orator disputing his demand offered him sattisfaccōn according to the Contents of his s^d order, and sent one James Jolly along with him to pay him who went together as both yo^r Orator and the s^d Jolly Conceived sattisfaccōn, Tobacco due to the s^d Burdett more then the ordinary costs

p. 1115

Liber of Suite, but Cattle only, which he was ever ready to sattisfye and
P. C. R. sent one to performe, and that the Refusall was in the said Burdett,
not in yo^r Orator.

He further Conceiveth that the said Servants being vnder his lo^{ps}
writt of Subpa Commanded to Co^{rt} were by vertue of that Subpa
exempted from Execucōn vntill their returne from whence they came

But had Tobacco not Cattle been due by that order he apprehendth itt could not haue swelled to that vast sume of 3152th and therefore humbly prayeth

That yee will be pleased in Tender Consideracōn of yo^r Orators greate suffring and infinite disgrace hapned hereby to grant his lo^{ps}
writt of Subpa directed to the Sherriff of Charles County, where the s^d Burdett resydeth to Compell him the said Burdett to appeare before yo^r honors to give an Accompt how soe greate a Charge hath arisen vpon his demand, and that he the said Burdett may be Compelled to accept of his Cattle soe ordered him with his just and reasonable Costs and Restore him his said Servants with such damage as he hath suffred by that seizure and detention And he shall pray &c.

The def^t Answeres that he has done nothing but what he had warr^t from the Chancellor.

The p^{lt} desires that his Wittnesses may be Examined which was Granted.

Ordered that the Sherriff of Calvert County doe bring in the writt of Execucōn ag^t the next Co^{rt} and give his Attendance together with M^r Thomas Burdett to Cleare the busines

Stanley v. To the hono^{ble} the Gouernor and Councill of Maryland And
Scapes's further sheweth that whereas the s^d Sadleir and Scapes were very
Estate intimate, and before they had ballanced Acc^{ts} were vnhappyly
p. 1116 drowned together And that the Adm^r of the said Scapes did receive
by vertue of those notes the greater parte of the said 6464^l after
the decease of the said Scapes and Sadleir and one hhd more of
Nicholas Carre and standeth noe way indebted to the said Scapes
either by booke or otherwise as he knoweth of

He therefore humbly desireth that the Estate of the said Scapes may be responsible for the said 6464^l of tobacco Ballancing the said 2013^l tob. knowne due as aforesaid

Ordered vpon the petⁿ abouesaid that M^r John Bateman and M^r Thomas Manning doe state the acc^o Betweene the p^{lt} and def^t as Adm^{rs} to Scapes & Sadleir and reporte itt to the next Pro^{all} Co^{rt}

Young v. To the hono^{ble} the Gouernor & Councill of State
Slye Adminr The humble petⁿ of Nicholas Young Sheweth That Samuell
Smith dec^d being indebted to yo^r pet^r 2440th of tobacco in Caske, did

order the said debt to be sattisfied in the hand of M^{rs} Anne Tilney, and to that Effect wrote to her the said Tilney desiring her to make payment of the said debt which she refuseth to performe Liber
P. C. R.

He therefore prayeth order for the said debt ag^t M^r Robert Slye Administrator of the said Smith with Costs of suite And he shall pray &c.

M^{rs} Tylney Yo^u were pleased the last yeare to send me word by M^{rs} Gerrard that the Tobacco due to M^r Stenwick was ready but I had noe tyme to looke after itt, till such tyme as yo^r Tobacco for soe much, and this my noate shall ingage me to deliver yo^u M^r Hoskins his bill vpon the receipt of the whole debt, thus not Questioning but yo^u will Complye with my reasonable demands I remayne p. 1117
Yo^{es} to Comand Sam: Smith

November 16th 1661

Ordered that the def^t as Adm^r to Samuells Smith pay two thousand foure hundred and forty pounds of tobacco, and that Nicholas Young doe give vnto M^r Robert Slye a bill of Sale for a Negro which was in Consideracōn for the afores^d debt.

To the hono^{bte} the Gouvernor and Councill of the Province of Maryland Barber v.
Morley

The humble petⁿ of Henry Heylyn Attorney of Luke Barbeir That Richard Morley and the said Doctor Luke Barber did by an Instrum^t vnder their hands beareing date 8th October 1661 become bound each to other in the Summe of 1000th Tob. in Caske for the true performance of certaine Condicōns in the s^d Instrument Contayned as relacōn being therevnto had will more largely appeare

Yett now soe itt is may itt please yo^r honors that the said Morley hath not performed his parte of the aforesaid Condicōns by reason whereof the s^d Barber is much dampnified.

The p^rmisses Considered yo^r pet^r humbly prayes that the said Morley may be ordered to make paym^t of the s^d 1000th Tob. according to the Tenor of the aforesaid Instrum^t And he shall pray &c.

The def^t pleades that his name is not Richard but W^m Morley therefore desires that the writt be Nonsuited which was

. . . . to the Landing of Richard True some fieve or six yeares since, And did agree with one W^m Smoote and the said True to Trim and repayre the said Shallopp for 1600th of tobacco, and delivered the same into their possōn to the same Effect, as by Wittnes will appeare which they never returned to yo^r pet^r Wherefore he humbly Craveth that yo^r Honors will grant him order for sattisfaccōn for the said Shallopp with damages & Cost of suite And he shall pray &c. Pheypo v.
Smoote &
True
p. 1118

Knowe all men by theis p^rsents that I Will^m Smoote of Charles County in the Province of Maryland Boate Right doe hereby Con-

Liber P. C. R. stitute and appoynte Thomas Lomax of the s^d Province my true & lawfull Attorney in my name and stead to pleade too and answere the Suite of Marks Pheypo Commenced against me to the next Provincia^l Co^{rt} to be held att S^t Marys the 7th October next, hereby Rattifying and alloweing whatsoever my said Attorney shall doe herein, to be as fully in force as if I my selfe were there personally p^rsent Wittness my hand the 17th day of Sept. 1662

W^m W Smoote his marke

Signed in the p^rsence of Josias Fendall George Taylor

Richard True makes the same Attorney as William Smoote ut supra.

The p^{lt} sueth pro ut in petⁿ And the Co^{rt} doth find that the p^{lt} hath noe Cause of action vpon Examinacōn of the whole matter p. 1119 therefore the p^{lt} is Non Suited

[Gooding v. Bradshaw] the Likeing and Consent of yo^r pet^r first had therevnto which said promise the said Bradshawe hath ackknowledged before divers persons in this Province

Yett now soe itt is may itt please yo^r Honors that the said Bradshawe not respecting his said promise did sometye about November last Sell yo^r pet^r to Cap^t W^m Boarman without the Consent of yo^r pet^r Contrary to Lawe and Equity

The p^rmisses Considered yo^r pet^r humbly prayes that the said Bradshawe may by this Hono^{ble} be Compelled to take yo^r pet^r into his owne Service againe; or else to sell yo^r pet^r to such person as yo^r pet^r shall make Choyce of And he shall pray &c.

The def^t pleades that he did not sell him but with his Consent as may be proved by the Oath of Cap^t W^m Boarman and Cap^t Boarman takeing his oathe in open Co^{rt} that he did not buy him ag^t his Consent. It is Ordered that he serue Cap^t Boarman till the tyme accustomed for Servants be expired.

Morris The p^{lt} Complaynes ag^t the def^t for that he hath wounded and
Murfee v. Lamed, him The which the def^t denyes.
Cap^t Rob^t

Troope Vpon which was impannelled a Jury who are as followeth (vizt)

Cap^t Nicholas Gwyther Foreman John Metcalfe Vincent Atcheson
George Bradshawe Nicholas Young John Nevell Marks Pheypo,
George Macckall John ———, ——— ——— Daniell Clocker John
Wayhope

. . . . Murfees Complaynt

p. 1120 At a Co^{rt} held att New Towne for the County of S^t Marys the
Lumbrozo v. 26th of June 1662
Hammond

and e contra Present M^r Thomas Mathews M^r Richard Willan M^r John Law-
son M^r Luke Gardner M^r Richard LLoyd Com^{rs}

To the Wopfull the Com^{rs} of S^t Marys County

Liber
P. C. R.

The petⁿ of John Lumbroso Sheweth That yo^r pet^r haueing sould certaine Goods to John Hammond as drinke Sugar and other things to the vallue of 1000^t of tobacco, And when yo^r pet^r came to demand bill for his debt the said Hammond refused to give him any Wherefore yo^r pet^r Craves order for his debt or the Co^{rt} compell the said Hammond to give yo^r pet^r security for the next yeares payment And he shall pray &c.

Gent. These are to Certefye yo^u that M^r Hammond did buy of Doctor Lumbroso one Anker of Brandy & 100th of Sugar the which Brandy and sugar Peter Mills & John Davies carryed from my howse by the s^d Hammonds order, And this I am ready to depose if thereto Required

June 26th 1662

W^m Euans

Lumbroso Accompt

M^r Hammond debtor

To one Anker of Brandy	0500
For one hundred pounds of Sugar	0400
For two Turkeys	0100

The plt petitioning the Co^{rt} for one thousand pounds of tobacco due from the def^t by an Accompt, which accompt the def^t accknowledgeth the Receipt of the Goods But doth alleadge that he was not to give the here Rated wherefore

Att a Co^{rt} held att New Towne for the County of S^t Marys the 5th p. 1121 of August 1662

Present Cott W^m Evans M^r Thomas Mathews M^r John Lawson M^r Luke Gardner M^r Richard LLoyd Com^{rs}

The Depⁿ of William Price aged 24 yeares or thereabouts This depon^t being att the howse of M^r John Hamond aboute the latter End of January last, John Lumbrose came in, And this depon^t & some others being drinking called for a Bottle of Liquor saying M^r Hamond I must not pay soe deere as the rest in regard I am to gett nothing by yo^u in the same goods, And the said Hammond was Content further this depon^t sayth that the s^d Lumbroso about a fortnight since sayd if M^r Hammond would pay him as they Cost him he desired noe more And further this depon^t went with the s^d Lumbroso, and one of the Sonns of the s^d Hammond when the s^d Lumbroso gaue the s^d two Turkeys, This Depon^t asked the s^d Lumbroso vpon what acc^o they were deliuered And the s^d Lumbroso sayd that M^{rs} Hammond made & washt his Linnen for satisfaccōn and further sayth not

W^m Price

Sworne before me this 4th day of August Tho. Mathews

Liber The def^t craues an Appeale to the next Pro^{all} Co^{rt} It is ordered
P. C. R. that the whole proceeding be sent to the next Pro^{all} Co^{rt}
 Walter Hall Ctk,

At a Co^{rt} held att New Towne for the County of S^t Marys the 5^t
p. 1122 of August 1662

Present Co^{tt} W^m Evans M^r Thomas Mathews M^r John Lawson
 M^r Luke Gardner M^r Richard LLoyd Com^{rs}

To the Worpfull Com^{rs} of S^t Marys County

The humble peticōn of John Hammond Sheweth That the last Spring yo^r pet^r bought of John Lumbroso certaine Goods for a Sumē of tobacco by them agreed on payable att the Cropp who offered him Bill for the same which he delayed to take, he professing very much kindnes & severall extraordinary Curtesyes to him yo^r pet^r but by his frequenting yo^r pet^{rs} howse, and by some discourse dropt from his wife and the s^d Lumbroso, he found cause to forwarne him his howse, The s^d Lumbroso being soe debarred of his former admittance sends one Isham to demand bill of yo^r pet^r for a greater Quantity then was due to him which yo^r pet^r refused to pass, he the s^d Lumbroso reported that he had intrusted yo^r pet^r with his Goods and Could not gett payment, But that yo^r pet^r would haue had him layn with his wife for sattisfaccōn and broached the same soe Confidently and frequently that itt became a Generall discourse and hath soe blemisht yo^r pet^r that he is become the by word and Scoff of many and hath soe irrepayrable injured him both in this Province and Virginea that itt hath woly taken away his hope of Liuely hood, He therefore prayeth that the matter & aggrevacōns may be seriously taken notice of and he repayred according to the merritt of his Offence and yo^r pet^{rs} sufferings And he shall pray &c.

p. 1123 John Sheirtcliff aged 44 yeares sworne and Exam Co^{rt}
 she would or words to that Effect & further sayth not

John Sheirtcliffe

Walter Pakes aged fifty foure yeares sworne and Examined in open Co^{rt} sayth, That sometyme the last Spring being att the howse of M^r Sheirtcliffe, he this depon^t did heare att the howse that Doctor Lumbroso should say that M^r Hammond had proffered him his wife to lye wth her in sattisfaccōn of some Goods the said Hammond had of the said Lumbroso, And this depon^t goeing home to his howse mett with M^r Hamōnd where this did reprove the s^d Hamōnd for proffering his wife to the s^d Lumbroso whereupon M^r Hammond answered this depon^t that he asked the s^d Lumbroso why he gaue his wife an Elle of fine Holland and the said Lumbroso answered him, that he gave itt her for the tymes he had layne with her, And the s^d Hamōnd swore many Bloody oathes and called the s^d Lumbroso

Rogue and Villaine & sayd he had forwarned him his howse, And further the said Hammond sayd that the said Lumbrozo tould him saying that if yo^u and I be Partnors yo^u must not take notice of itt & further sayth not.

Liber
P. C. R.

Walter Pake

Gent. These are to certefye yo^u that sometyme the last yeare Doctor Lumbrozo did tell me that he had been att M^r Hammonds to demand some tobacco of the s^d Hammond, and that the said Hammond would haue the s^d Doctor to lye with his wife for his Tobacco, and [if] he would not take that pay he would pay him [no] otherwise and the s^d Doctor did in his heart to acquainte I shall depose

The p^t Craues an Appeale to the next Pro^{all} Co^{rt} which is granted.
vera Copie Ex^p Walter Hall C^{lk}

And the aforesaid Jury returned their Verdict vizt

Murfee v.
Troope

We find Cap^t Robert Troope guilty of the disabillity that Morris Murfee hath received in his lymbs, Ordered that they goe out againe & Consider of the Damage.

And the Jury returned againe after some tyme and brought in their verdict touching the damage as followeth

The Damages wee find Eight thousand pounds of tobacco for Murfee, Ordered that Cap^t Troope give in security to pay vnto Morris Murfee Eight thousand pounds of Tobacco with Costs of Suite, and that 1060^t tobacco be payd Cap^t Gardner out of Murfees Eight thousand pounds of tobacco.

The Jurys Verdict touching John Lumbroso p^t and John Hammond def^t.

Lumbroso v.
Hammond

Wee finde noe Cause of Action.

The Jurys Verdict touching John Hamond p^t and John Lombroso def^t.

Hammond
v. Lumbroso

Wee finde for the p^t five thousand pounds of tobacco damages with Costs of suite

[A petition from Christian Bonnefield is printed in 3 Md. Arch. Coun. 463.]

p. 1124
Bonnefield
v. Holt

Vpon the peticoⁿ abouesaid It is ordered that whatsoever Christian Bonnefeild can make appeare to be hers before the p^rtended marryage with Robert Holte, or that is purchast with that Estate shall be restored to her the land excepted, and that she doth Continue in that howse as formerly vntill further order of this Co^{rt} and that Dauid Holte haue letters of Ad^{con}

To the hono^{ble} the Leiutenn^t Generall & Councell of the Province of Maryland, Sheweth The humble petⁿ of Henry Heylyn Attorney

Smith v.
Haddaway

Liber to Coff Robert Smith of Lancaster County in Virg^a That Rowland
P. C. R. Haddoway did by bill beareing date the 30th day of Aprill 1661, be-
come bound to the said Coff Smith of of Eighteene hun-
dred sweete Sented tobacco in Cask then next ensueing
as

Brandon July 22th 1662

p. 1125 Mr Henry Heylyn

There is (as I am informed) now liveing in the River of Patapsco
in Maryland an ancient man named Rowland Haddaway formerly
an Inhabitant in Lancaster County in Virg^a This Haddoway att the
tyme of his departure from Virg^a was indebted to me a Summe of
tobacco, as this Enclosed Specialty will Evidence my Request to yo^u
is that as my Attorney yo^u will cause him be arrested to the Quarter
Co^{rt} att St Marys, and Craue the Justice of that Co^{rt} in my behalfe
for the Recovery of the debt, and whatsoever yo^u shall Act in order
to this Request, or what Acquittance or discharge yo^u shall give
upon receipt either of the whole or any parte of the debt, I shall
make good & ackknowledge as done by my selfe who am

Yo^r assured freind

Robt Smith.

I doe hereby Certefye that being Sherriff for the County of Lan-
caster the last yeare anno 1661, I had severall tymes order from Coff
Robert Smith to arrest Rowland Haddoway who then lived in the
County in an accōn of debt, and haue heard the s^d Haddoway confess
himselke indebted to Coff Smith

July 17th 1662

Mathew Kemp

This Bill bindeth me Rowland Haddoway of the County of Lan-
caster, my heires Executors & Adm^{rs} to pay or cause to be payd
vnto Robert Smith of the same County his heires Executors or
Assigns the just Sume and Quantity of Eighteene hundred pounds
weight of well Conditioned sweete Sented Tobacco of my owne
Cropp with good Caske att or vpon the first day of November which
. . . .

p. 1126 The p^{it} sues as in petⁿ The def^t nor none else for him appeareing
and the writt returned Executed by the Sherriff, Ordered that the
Sherriff produce the security taken or pay the debt.

Holt v.
Bonnefield

Whereas there hath been severall Controversyes Betweene Daudid
Holte sonne of Robert Holte and Christean Bonnefeild the reputed
wife of the s^d Rob^t to Conclude and period which both partyes haue
agreed as followeth That is to say the said Daudid is to haue holde
and Enjoye for ever all the land any way belonging to the said
Robert as heire to him the s^d Robert, and Concerning all other goods
Chattles & moueables they are to be equally divided the said dauid
to haue the one halfe, and the said Christean the other halfe except-

ing the Carpenters and Coopers Toolles, which the s^d dauid is to appropriate to himselfe and excepting one new bed Ticking, and Hammack, and one Mayd Servant named Jane, And the waring Cloathes and Ornam^{ts} of the s^d Christean, which the s^d Christean is to haue, and that she liue Quietly in the howse as formerly vntill the tenth of Aprill next, And that all debt of the s^d Holtes and Charges ariseing, ab^t the Estate of the said Holte be equally payd Betweene them, and in Case they agree not Betweene this and the 10th of the next moneth ab^t the deuision of the s^d Estate then they are to choose each an Indifferent person to make the devesion and they which agreem^t shall be definite deuision to be only intended of Estate of the s^d Robert Wittnes our hands

Liber
P. C. R.

The Co^{rt} is Ajournd till 9 of the Clock in the morning.

p. 1127

Sattirday the 11th October 1662

Present as before

Oct. 17
Attorney
General v.
Savage

Cap^t John Savage is accused by the Attorney Generall for tradeing with the Indians without Lycence from the Lord Proprietor, or the Leiutenn^t Generall M^r Revell findeing him tradeing & finding also Corne vpon the Shoare ready to take in & Corne in the Boate as appeareth by the oath of M^r Randall Revell

M^r Randolph Revell my Respects p^rsented vnto yo^u and to yo^r good wife S^r I vnderstand that itt is My lords pleasure that wee shall haue our Boate and Goods againe, S^r my request to yo^u is to Consider my greate loss and damage that I haue received by being surprised by yo^u for soe small a trifle but I hope wee shall now lay a side all such things of discord as hath been acted and become freinds and Neighbours as wee haue been heretofore, ffreind My Request to yo^u is that yo^u would be pleased to gett my Sloope deckt upp and to gett her Trimd for me by the last of September, & yo^u shall ingage me to make yo^u just paym^t for what yo^u shall doe in the p^rmisses, freind M^r Boarman hath promised me that he shall send one vp that is a Carpenter that will doe the Sloope if yo^u can but procure Tarr the old Cable that is in the Sloope yo^u may make Okum of for her pray p^rsent my kind loue to M^r Jons and to all the rest of our freinds and neighbours soe haueing noe more att p^rsent to trouble yo^u with I take my Leaue giving yo^u many thancks for yo^r civill Entertainm^t att yo^r howse Remayne

. . . . in her and the Charge of the Sloope vnto Edward Shareman with order that nothing should be imbezelled or disposed of without his order and Charge that wee should not medle with any thing that was in them but left no Roaneoke to buy no provision vntill wee did heare other order from him, and after two dayes stay there which wee did according to his order, wee brought the aforesaid Boates aboute to his landing att Manokin and in

p. 1128

Liber them three of the men that did belong to them and the said M^r
P. C. R. Revell had hyred an Indian to guide other two of them to the howse
where I liue att Manokin, and Cap^t Savage and the ould Gunner went
with M^r Revell & further sayth not John † M Markham his marke

Sworne this 23th day of August 1662 before me John Elzey

And further this depon^t affirmeth that to his certaine knowledge
not one or any of those persons were Comitted Prisoners to any
Indians John † M Markham his marke

The Deposicōn of Edward Shearman aged 24 yeares or there-
abouts Sworne and sayth that when M^r Randall Revell had taken the
Sloope Shallop and small Boate that was with Cap^t John Savage
att Marie Creeke and Tradeing with the Indians the s^d M^r Revell
Comitted the Charge and Care of the Sloope vnto me with what was
in her and the Charge of the Shallop vnto John Markeham with
order that nothing should be imbezelled or disposed of without his
order, and Charge that wee should not medle with any thing that
was in them but left Roaneoake to buy us provision vntill wee did
heare other order from him, and after two dayes stay there, wee
did to his order, being the said Manokin, and in them
3 to them, And the said M^r other two of them att
Manokin And further this Depon^t doth affirme that to his Cer-
taine knowledge not one or any of these persons were Comitted
Prisoners to any Indians. Edward † Shearman his marke

Re Land's This day came Anne Land and disclaymed her Executrix ship to
Estate the Estate of Philip Land.

Attorney The deposicōns & papers before mencōned being read The Cour^t
General v. Considered that they cannot proceed to Condemnacōn in the ab-
Savage sence of Cap^t Savage; and doe therefore order that the s^d Savage
doe appeare att the next Provinciaall Co^{rt} to be houlden att St Marys
on the first Tuesday in December next att St Marys by himselfe or
Attorney to make his defence and that in the Interim the Sloopes
Boates or Shallops with all other Goods taken from the s^d Savage
by Randall Revell be kept within the Jurisdiccōn of this Province
in the Custody of Randall Revell.

Re Belcher's Vpon the peticōn of John Bateman Adm^r to Thomas Belchers
Estate Estate and Nicholas Gwyther joyneing issue vpon all accompts and
bills whatsoev^r belonging to or from the said Estate, It is Ordered
That John Bateman pay vnto Nicholas Gwyther 1242th Tobacco and
Caske being the Ballance of all Accompts and Nicholas Gwyther and
the s^d Bateman discharge each other vpon payment.

Attorney Then was Called afore the Board Robert Stack and being de-
General v. manded whether he had sattisfyed tenn shillings, the one halfe to the
Stack Lord Proprietor the other halfe to which he for that he

James Bowlyn aged 25 yeares deposeth and sayth That in the
 yeare 1655 M^{rs} Eltonhead had 3 whole Shares vpon her owne Ac-
 compt, which Shares was sent for England ariseing to the Quantity
 of sixteene hundred pounds of Tobacco p share And Returne made,
 And as M^r Henry Meese informed me itt was sould for 4^d ½ pth in
 England in the yeare 1656 M^{rs} Eltonhead had alsoe three whole
 Shares properly belonging to her selfe which Shares Amounted to
 the Summe of Betweene 12 and fourteene hundred pounds of tobacco
 a Share and further sayth that this was before W^m Eltonheads Es-
 tate was appraysed.

Liber
 P. C. R.
 Re
 Eltonhead's
 Estate
 p. 1130

Sworne in open Co^{rt} 10th October 1662 John Gittings Clre :

The next Co^{rt} is appoynted by the Leivtenn^t Generall on the second
 day of December next :

Date of
 Session of
 Court

. . . . yo^u that yo^u make knowne vnto the said Thomas Gerrard that
 he be at our next Provinciaall Co^{rt} to be houlden att S^t Marys on the
 second of December next to shew Cause if any he have, why the said
 one Thousand pounds Sterling should not be leavyed vpon his Lands
 Goods and Chattles, and to Marmaduke Snowe to whome the Right
 of the said Abell is Conveyed as by deed from the s^d Abell to Jdith
 Snowe, and from the s^d Jdith to the s^d Marmaduke appeareth be
 delivered according to the force and Effect of the said two severall
 Recognizances, and have yo^u there the names of those persons by
 whome yo^u have made this knowne vnto Given att S^t Marys this
 day of October 1662 Wittnes our deare Brother Philip Calvert
 Esq^r our Chancellor of our s^d Province of Maryland.

Snow v.
 Gerrard
 p. 1131

Signed Philip Calvert

Thomas Gerrard Attorney of Valentine Peyton who married the
 Administratrix of Thomas Speake dem^{ds} a writt to arrest George
 Reynolds in an accōn of the Case to the vallue of 5000^t Tobacco.

Peyton v.
 Reynolds

Warr^t mde to the Sherr. of S^t Marys County to arrest &c. ret. the
 first day of the next Co^{rt}

Sumōns issued to the Sherr of Calvert County to appeare att the
 Co^{rt} and to answeere the suite of Hugh Stanley

Stanley v.
 Sheriff of
 Calvert Co.

October 18th Doctor Luke Barber dem^{ds} a writt to arrest William
 Morely in an accōn of the Case.

Oct. 18
 Barber v.
 Morley

Warr^t mde to the Sherriff of S^t Marys County to arrest &c. ret.
 ut supra.

Liber
P. C. R.
Fendall
Adminr.
et al. v. Slye
Admini. Cap^t Josias Fendall and Robert Henley Adm^{rs} to Cap^t Russell dem^{ds} a writt to arrest Robert Slye in an accōn of the Case to the vallue of 1500th Tob. as Adm^r to Samuells Smith.
Warr^t mde to the Sherriff of S^t . . . &c. ret . . .

p. 1132
Jorden v.
Stanley Thomas Sprigg as Attorney of Thomas Jorden who is agent for John Harris and Partner dem^{ds} a writt to arrest Hugh Stanley in an accōn of debt to the vallue of 4000^t Tob.
Warr^t mde to the Sherriff of Calvert County ret 2^d dec. next.

Cager v.
Accworth Robert Cager demands a writt to arrest Richard Accworth in an accōn of the Case to the vallue of 5000th Tob.
Warr^t mde directed to Randall Revell ret. ut supra.

Attorney
General v.
Innis Richard Willan High Sherriff of S^t Marys County demands a writt to arrest Thomas Innis in an accōn of Assaulte and Battry
Warr^t mde to the Sherr. of S^t Marys or his deputy ret. ut Supra:
jdem dem^{ds} Subpa for Andrew Woodbury . . . Comins, and Thomas Wright

Hammond
v. Stone John Hammond demands a writt to arrest Thomas Stone Executor of Cap^t W^m Stone, in an accōn of the Case.
warr^t mde to the Sherriff of S^t Charles County ret ut supra.

Hammond v.
Cornwaleys jdem demands a writt to arrest John Abington Attorney to Cap^t Thomas Cornwallis, in an accōn of the Case, warr^t mde to the Sherriff of S^t Marys County ret ut supra.

Stanley
Adminr v.
Bentley Hugh Stanley Adm^r to Gyles Sadleir demands a writt to arrest Richard Bentley and Thomas Searchwell in an accōn of debt, warr^t mde

Snow v.
Gerrard
this accōn is
withdrawne Marmaduke Snowe demands a writt to arrest Thomas Gerrard in an accōn of the Case to the vallue of 500th sterl:
Warr^t mde to the Sheriffe of S^t Maries County ret. . . .

p. 1133
Hampsteed
v. Browne William Hampsteed demands a writt to arrest W^m Browne in an accōn of defamacōn:
warr^t mde to the Sherriff of S^t Marys County ret ut supra
jdem dem^{ds} Subpa ad testificand Francis Anketill et ux and John Hunt.
Subpa mde to the Sherr. of Calvert County ret ut supra

Mr John Dodman Enters accōn of the Case to the vallue of five hundred pounds sterl. ag^t Philip Calvert and James Neale Esq^{rs} to appeare att the next Pro^{all} Co^{rt}

Liber
P. C. R.
Novembr
21th
Dodman v.
Calvert &
Neale

Sumons mde &c.

Mr John Nutthall the Attorney of Major Thomas Brooke demands a writt to arrest Richard Games in an accōn of debt.

Brooke v.
Games

Warr^t mde to the Sherriff of S^t Marys County (ret ut supra)

John Bogue et vx demands a writt to arrest John Pollard in an accōn of Defamacōn

Bogue v.
Pollard

Warr^t mde to the Sherriff of Calvert County ret ut supra.

jdem Demands a Subpa to Sumons George Reade and Alice his wife Sanders Watts and Joane his wife to testefye &c. Subpa mde to the Sherriff of Calvert County &c.

John Hammond demands a writt to arrest Thomas Stone in an accōn of the Case, warr^t mde to the sherr of Calvert County &c.

Hammond
v. Stone

W^m Wilkinson demands a writt to arrest Thomas Stone in an accōn of the Case Warr^t mde to the Sherr of Calvert County ret ut supra.

Wilkinson
v. Stone

John Hammond dem^{ds} a Subpa ad testificand Walter Hall John Abington

Hammond
v. Stone

Tho. Stone Enters accōn of the Case ag^t Philip Calvert Esq^r
Sumons mde &c.

p. 1134
Stone v.
Calvert

Rob^t Slye Adm^r to Samuell Smith dem^{ds} a writt to arrest Jo^{sias} ffendall.

Slye
Adminr v.
Fendall

Robert Cager dem^{ds} a writt to sumons Henry Hyde and Thomas Smith

Cager v.
Hyde et al.

Subpa mde

. . . . Command John Bateman Esq^r and Mary his wife that justly &c. they keepe wth the Covenant &c of seaven hundred acres of land called Cleybournes Iland in Talbott County

Re Bateman

Philip Calvert

And the Agreem^t is such that the s^d John Bateman and Mary his wife haue accknowledged the s^d seaven hundred acres wth the aptncēs to be the Right of the said Peter Sharpe as that which the s^d Peter Sharpe hath of the guift of the s^d John Bateman & Mary his wife, And the same they haue remised & Quitt claymed from them & their heires to the afores^d Peter Sharpe and the heires of the s^d Sharpe

Liber
P. C. R. for ever And further the s^d John Bateman & Mary his wife haue granted for them & the heires of the s^d John Bateman that they will warr^t to the aforesaid Peter Sharpe, & the heires of the said Peter Sharpe, the aforesaid 700 acres wth the aptncēs ag^t them the s^d John Bateman & Mary his wife & the heires of the s^d John Bateman for ever, And for this &c.

John Bateman ⊕ Mary Bateman ☉

Dec. 2
p. 1135 At a Provinciaall Court held att S^t Marys on the second of December 1662

Present Charles Calvert Esq^r Governor Philip Calvert Esq^r Deputy Leiutenn^t and Chancellor, Henry Sewall Esq^r Secretary Baker Brooke Councello^r

The Co^{rt} ajourned by the Leivtenn^t Generall till to morrow morn. 9 of the Clock

Dec. 3
Sheriff's
Returns

Wednesday the 3^d of december 1662

Present as before together with John Bateman Esq^r

Then the Sherriff of S^t Marys County returned his writts all Executed except M^r Gerrard

The Sherriff of Calvert County ret none executed but one sumons for M^r Thomas Trueman ats Burdett.

The Sherriff Charles County ret. all Executed.

Re Adams
vid. fol. 1183

Ordered that a Commission be granted to Cap^t Thomas Manning and Thomas Trueman to take the accknowledgem^t of a fine of Margaret Adams to William Parratt.

Re Edlow's
Estate

To the hono^{ble} the Leivtenn^t Generall and Councell of the Province of Maryland

The humble peticōn of Richard Collett Sheweth That letters of Ad^{con} of the Estate of Joseph Edlowe being granted to Thomas Walton yo^r pet^r did att the request of the said Walton become bound as security with him for the due Administracōn thereof Since which tyme the said Walton is likewise dec^d before any Quietus est was sued out by him, by [virtue] whereof yo^r become lye to make

p. 1136

Vpon the peticōn of Richard Collett, The Judgem^t of the Board is that the Secretary may grante letters [of] administracōn to Richard Collett as being Security to Thomas Walton the former Adm^r he by that assumpts itt, becomes the greatest Cred^r of Edlowes Estate

Edlow's v.
Walton's
Adminr.

To the Right Hono^{ble} the Governor and the rest of this hono^{ble} Councell

The humble petⁿ of Joseph Edlowe Sheweth That att the death of yo^r pet^{rs} father yo^r pet^r was left in the Custody of Thomas Walton, with the rest of that poore Estate which was left amongst vs his Children and yo^r pet^r did Condi^cōn with the s^d Thomas Walton to serue him by the yeare for the Consideracōn of a Cowe and Calfe yearly to be delivered to yo^r pet^r and sufficient Clotheing during the tearme of his said Service, and att the Expiracōn thereof to be sufficiently clothed, alsoe they haue sould a very large Steere of yo^r pet^{rs} for the which yo^r pet^r humbly craves, that yo^r wo^{ps} will order that yo^r pet^r may have sattisfaccōn for two yeares service which he hath compleated and for the afores^d Steere with sufficient Clotheing and yo^u shall ever have the prayers of a poore Orphant.

Liber
P. C. R.

Vpon the petⁿ aboues^d Ordered that Joseph Edlowe haue a writt to arrest the Adm^{rs} of Thomas Walton to answeare his suite the next Court.

To the hono^{ble} the Leiutenn^t Generall & Councell of [the Province] of Maryland

Barber v.
Morley

[The humble Petition of] Luke Barber Yett now soe it is may it please yo^r Honors that the s^d Morley hath not performed his parte of the aforesaid Condi^cōns by reason whereof yo^r pet^r is much dampnified The p^rmisses Considered yo^r pet^r humbly prayes that the s^d Morley may be ordered to make payment of the s^d one thousand pounds of Tobacco according to the Tenor of the aforesaid Instrum^t And he shall pray &c.

p. 1137

The p^{lt} sueth as in his petⁿ aboue written, And the def^t not appeareing It is ordered that the Sherriff produce the def^t or his Attorney by the next Co^{rt} or the Sherriff to stand to the award of the Co^{rt}

To the hono^{ble} the Gouvernor and Councell of Maryland

Stanley v.
Trueman

The humble petⁿ of Hugh Stanley Sheweth That an order passing ag^t yo^r pet^r att this Hono^{ble} Co^{rt} for a Heifer, Calfe, and costs, Thomas Trueman did abt. the midle of August last fill vp certaine Blanke writts in which he putt two of yo^r pet^{rs} servants names to appeare to the next County Co^{rt} where they appeareing in obedience to the writt were seized on by the s^d Sherriff and imediately ap-prayed to three thousand Eight hundred pounds of tobacco carryed away and disposed of and noe retourne of any Overplus, made to yo^r pet^r who by this meanes was not only very much disgraced, but lost their whole Cropps, He therefore prayeth the may Justifye

p. 1138
Hugh
Stanley v.
Tho.
Burdett

Vpon a Refference from the last Court A Non Suite is granted to the def^t vpon the whole matter with Costs of suite.

Liber
P. C. R.
Coff W^m
Evans v. Co^{rt}
Thomas
Turner

The def^t not appeareing Ordered that the Sherriff produce the def^t or his Attorney by the next Co^{rt} or to stand to the Award of the Co^{rt}

Thomas
Turner v.
Coff W^m

The P^{lt} not appeareing a [non] suite is granted to the def^t.

Evans
John
Abington v.
W^m Lowry

The p^{lt} sueth as in his petⁿ fo: 1113. and itt appeareing by the oathe of M^r Trueman that the land demanded is in the Bound of the s^d Pattent, The def^t denyes that itt is within the Bounds of the s^d Pattent, and desires tyme till tomorrow morning to proue itt.

M^r Trueman sweares that M^r Abington came to him in the Company of W^m Lowry, and did shew him a Bound Tree from which bound tree he run according to the Pattent three hund^d and twenty perches, and did include most parte of the land which W^m Lowry did then live vpon, and further sayth not.

Sworne in open Co^{rt} John Gittings Cle.

p. 1139
Capt. Josias
Fendall &
Robert
Hunley
Admrs. to
Christopher
Russell v.
Robert Sly
Adminr. to
Samuel
Smith

Yo^r pet^{rs} therefore humbly Craveth yo^r Honors to grant them an order ag^t M^r Robert Slye Administrator to the abouesaid Samuell Smith for the said debt with Cost & Charge of suite And they shall as in duty bound pray &c.

This Bill bindeth me Samuell Smith sometymes in the Province of Maryland Mariner to pay or cause to be payd vnto Christopher Russell of the same Province Planter good Goods for Thirteene Hundred pounds of Porke, by me already received of the said Russell as I haue already solde or shall sell for Porke, att the Returne of the Barque Susanna or by the last day of May next Ensueing the date hereof, As Wittness my hand this 6th day of March 1659

Testes W^m Clement Joseph Cooper signe 7 . Sam: Smith

The p^{lte} sueth as in their peticoⁿ The def^t desires a Refference till the next Co^{rt} and further desires that he may haue a Coppy of the p^{lte} petⁿ and of the Bill which was ordered accordingly.

Hugh
Stanley
Adm^r to
Gyles
Sadleir v.
Rich Bentley
and Tho.
Searchwell

The p^{lt} sueth for 1518^t Tobacco due by bill [from the] def^{ts} and to be found

Hugh
Stanley Ad^r
to Gyles
Sadleir v.
Richard
Smith

The p^{lt} sueth as in his petⁿ fo: The def^t produceth this following Acc^o to shew wherefore that Tobacco was payd by the s^d Sadleir to the s^d Scapes and as appeares by the acc^o more due.

The Opinion of the Board is that the p^{lt} hath noe Cause of action therefore Non suited

The Estate of Gyles Sadleir d^e to the Estate of James Scapes.

	# Tob.	Liber P. C. R. Stanley v. Bentley
By one bill	2573	
By two Barrells of Salte	0200	
By promise to pay for W ^m Mills	0500	
By one Bill of Jacob Lumbrosoes	1270	
By one Note as vnder hand appeares	1600	
By W ^m LLoyd as by his note appeares	0600	
	<hr/> 6743	
Rests vpon acc ^o of Goods and vpon vs allowed one hhd of tobacco	0500	
Rests more three hhds of tobacco wee putt a board by	<hr/> 7243	

To the hono^{bte} the Gouvernor & Councell of Maryland

Hampstead
v. Browne

The humble petⁿ of W^m Hampstead Sheweth That W^m Browne, hath greuously and ingratefully yo^r pet^r and his wife Reporting and affirmeing did last Spring and frequently persists in the is both a whore, and a Bawd opprobrious language

Francis Anketill swore in open Co^{rt} Sayth That he had heard W^m Browne say in discourse hang her for an ould whore, or an ould Bawd or soe, and further sayth not

p. 1141

Sworne in open Co^{rt} John Gittings Clre.

John Hunt sworne &c sayth That he knowes nothing att all of the business

Robert Slye
Adm^r to
Samuel
Smith v.
Josias
ffendall

Respitted till to morrow morning

The p^{lt} preferring a Bill of Complaint in Chancery ag^t the def^t and the def^t being arrested by the p^{lt} and not sumoned in Chancery he desires Non suite ag^t the p^{lt} which was granted Ordered that the def^t doe give in his answere to morrow morning

Cager v.
Accworth

To the hono^{bte} the Gouvernor & Councell of the Prouince of Maryland

The humble petⁿ of Robert Cager Sheweth That aboute 12 moneths agoe, One Richard Accworth Comeing to yo^r pet^{rs} howse, sould him a servant for which yo^r pet^r satisfyed him and shortly after the s^d Serv^t Run away greatly to the damages of yo^r pet^r Now soe itt is that the s^d Serv^t belonging to a gent in Virg^a was after his Running away from yo^r pet^r by the s^d gent, [ap]prehended and kept to the greate loss & damage of yo^r Considering Crop tyme

Liber Attorneys, in as much power as if I my selfe were personally
P. C. R. p^rsent As Wittness my hand 23th 1662
p. 1142 Wittness John Vanheeck Richard Games R A

The marke of Richard Accworth

The p^{lt} sueth as in his petⁿ The def^t appeares by his Attorney Nicholas Gwyther who produced a letter of Attorney signed Richard Accworth wittnessed John Vanhack Richard Games, whereupon the p^{lt} demanded of the Attorney whether he would pay whatsoever should be Recovered ag^t the s^d Accworth who denyed to oblige to pay any thing that should be Recouered & vpon his Refusall the p^{lt} did desire that he might either abandon his letter of Attorney or engage to pay what shall be recovered and the Co^{rt} would not allowe itt The Attorney Confest that he sould the p^{lt} a serv^t wherevpon the p^{lt} withdrew & went to drawe vp the Acc^o of what damage he hath susteyned which is as followeth.

An Acc^o of Charges in lookeing after my servant of Richard Accworth

	# Tob.
Imprimis payd a mans Charge and hyre in goeing }	1000
into Virginea to looke after him }	
For Tenn dayes tyme by my selfe and }	
my men to him }	0500
	<hr/>
	1500
	<hr/>

. . . . for my selfe and wittnesses sustayned in my Crop for
. . . . probably his Crop

Re Hall James Hall and Sarah his wife accknowledge a fine in open Court
p. 1143 to Francis Hill according to the Tenor of a Bill of Sale, from the said
James Hall to the s^d Francis Hill of one hund^d acres of land called
Elkeens neck which they the s^d James & his wife have accknowl-
edged to be the right of ffrancis Hill These p^rsents binds me James
Hall my heires &c. to deliver vnto Francis Hill or his Assigns,
possession of the howseing and land solde vnto him by me, and
binde me my heires &c. to make him a firme Sayle, and Surrender
vide bill of sale fo: 1154 in Co^{rt} of the same by my selfe and wife Wittness my hand this
25th of November 1662 James Hall † H his marke.
Testes John Hammond Walter Hall.

Willan v. To the hono^{bte} Gouvernor & Councell of the Prouince of Maryland
Innis The humble petⁿ of Richard Willan High Sherriff of the County
of S^t Marys, Sheweth That yo^r pet^r from his Youth hitherto hath
with much faythfullnes and readynes served the Lord Proprietary
of this Province and his severall Governors and hath Constantly

endured and vndergone, such hazards as the variousnes of the Countryes, which he hath ever expressed as is evidently knowne or Suffrors in only been lord^{ps} in England

Liber
P. C. R.

Yo^r pet^r humbly p^rsenteth to yo^r Honors the miseryes he hath vndergone, in his younger dayes for defence of this Province, hath very much Impayred his health and wasted his vigor and strength & that he hath been much afflicted with sicknes, & lameness not vnknowne to many of yo^r Honors: In which weake Condiçō yo^r pet^r did in October last adventure to goe a board a New England Vessell rideing in S^t Georges River where one Thomas Innis be[ing] a Board (did out of a former Malice borne him) sett vpon yo^r pet^r first wth Scoffs, Contempts, hatefull and provokeing Complaynts and afterward with frequent, violent & Blowes, Boxes and Buffetts, vntill the from his Teethe and nose in as if that had not been sufficient to express his hatred to yo^r pet^r and Contempt to his Office, tooke him vp by the Thigh to haue throwne him over Borde, which he had vndoubtedly done, had he not called out for helpe & required the peace of the Lord Proprietary to be kept as the s^d Jnnis hath since often laughed att & boasted off, Now for as much as the s^d Innis hath soe abused yo^r pet^r and gloried in [his] haueing Respect neither the greatness of his place, as being Sherrieff of the [County] nor the Lowness of his Condiçō, as being weake lame man not able to defend nor helpe He prayeth that as Sherrieff of this County Honor to the Lord Proprietary & the place for the terror of such as shall person of Sherrieffe whose supported that the s^d Innis yo^r pet^r repayed according offred or that yee will & discharge him

p. 1144

. . . . Ad^{trix} indebted as by his W^m Battyn two Mares & besides his funerall charges [there]fore humbly prayeth yo^r John Gittings that ag^t M^r Robert Slye for the s^d debts Sherrieff of he shall pray &c: next Co^{rt}

Re ———
Estate

the Gouvernor & Councell

. . . . the [humble] petⁿ of Tho: Stone and the yo^r pet^{rs} father was possessed of a wind [mill at S^t] Marys and that Philip Calvert then and illegally out of the s^d Mill hereof to the

Stone v.
Calvert

. . . . been too much wrought on to Consent to an Act not only [abhor] rent to her selfe, when she of her Cryme, and for which she of disgrace & therefore humbly prayeth that she may Censure as the [law] of England in such And she shall pray &c.

Attorney
General v.
Hall

Liber Opinion is that the Rule p^rscribed is the fittest way to
P. C. R. iudge by

. . . . is of opinion that she ought to damage by Servitude.

[The Attorney] Generall the same opinion wth the Secretary

. . . . damage to the Chancellor is 2000^t tob

Re & apparrell & lodging wth other necessities during the s^d
Sherwood And att the end of the s^d tearme to pay unto the s^d Hugh accord-
p. 1161 ing to the Custome of the Country. In Wittnes here- p^rties
aboue mentioned haue interchangeably sett their hands the
day & yeare aboue written

[In] p^rnce of

Hugh Sherwood

Re Parker's Parker before the Hon^{bte} Charles Caluert of this
Cows Prouince of Maryland & gaue to each Cattle as they are here
sett downe (Viz^t) fflowre Cowes knowne by the names of Old
. . . . Cherry, Blackell & Blossome: the markes are of the left
eare, wth a slitt in the right eare The encrease of [the] ffemale
only are to bee to Edward Parker: the bee to mee & my use.

Two Cowes, One called Rose, & the other Brow Cropd' &
underkeeled on the left eare, & slit & the Right eare. The
ffemale encrease of w^{ch} Cattle The male to mee & my use,
a filly foale, wth itt's ffemale encrease Cowes One named Louely,
the other named care wth a Crop & an Vnderkeelee The
encrease of w^{ch} the Male to mee & my use. Likewise to
Mare wth all the Mare Colts. The horse Colts to my use Two
Cowes, one Called Sweete Lips, & the other

These p^rsents wittnesse That I John Nutthall of Gentⁿ haue
Estate v. sold & deliuered unto M^r & Daniel Clocker, Ouerseers unto the
Nuttall late deceased, & for the use of M^{rs} of the s^d deceased,
p. 1162 One Grey Mare & upwards, wth T. C. upp of w^{ch} afores^d
Beast I doe all iust claimes whatsoever whereof I haue
hereunto

Testes Humphrey Warren Thomas Courtney.

ffebbruary Co^{ll} Will^m Euans Enters
16^o 1662/3

ffebr 12^o M^r Mathew Stone demands accōn Case.
1662/3 war^t to the Sheriffe of Calvert Prouinciall. Court Summons p^r
Stone v. . . . Andrew & Thomas

INDEX.

(Names of estates are indicated by an asterisk. Formal entries of names of places are not indexed.)

- Abbott, John, 422.
 Abell, Richard, 95.
 Abercrombie, David, 442-444, 508, 535, 553; *v.* Carver, 442-444; *v.* Innis, 553.
 Abingdon's Cliff, 75.
 Abington, John, 140, 242, 347, 349, 354, 384, 397, 399, 411, 412, 423, 425, 437, 462, 476, 490, 491, 512, 515, 533, 535, 537, 538, 552, 554, 568, 570, 578, 585, 596, 597, 600; *v.* Atchison, 532; *v.* Nuttall, 512; *v.* Lowry, 570, 585, 600.
 Abortion, 20, 85.
 Abrahah (Abrah), Richard, 114, 158, 193, 246, 247, 281, 282, 334.
 Abraham (Abrahamsen, Abram, Abrams, Abramson), Cornelia, 303, 304; Cornelius, 10, 99, 179, 242, 243, 301-304, 326; Elizabeth, 379; Frances, 198, 242, 267; Isaac, 379, 453, 454, 573; *v.* Blinkhorne, 198, 242, 267.
 Accomack, 73, 84, 125, 216, 231, 250.
 Account, 202, 280.
 Accworth, Richard, 596, 601.
 Achillis, Elizabeth, 552; Peter, 192, 194, 552, 571; *v.* Lumbroso, 571.
 Acknowledgment, 28, 57, 68, 79.
 Acquittance, 56, 202.
 Adams, Henry, 54, 55, 60, 87, 96, 133, 148, 155, 169, 171-174, 194, 204, 221, 226-228, 231, 244, 288, 351, 471, 497, 563; James, 384; Margaret, 598; Mary, 169-171, 173; Thomas, 424, 462; *v.* Parnell, 96, 155, 204; *v.* Shears, 424.
 Administration of Estates, 4, 8, 12, 13, 22, 30, 35, 36, 40-46, 58-60, 65, 78, 79, 82, 90, 91, 99, 101, 103, 104, 113-118, 123-125, 131, 135, 149, 169-172, 175-178, 180, 193, 196-198, 201, 204, 220, 226, 230, 234, 237, 242, 253, 254, 257, 259, 260, 262, 276, 281, 283, 284, 291, 294, 300, 301, 305, 311, 317, 320, 345, 348, 350, 357, 359, 367, 369, 370, 379, 383, 403-406, 425, 454-456, 472, 473, 475, 476, 483, 485, 508, 541, 556-566, 569, 572, 591, 593, 594, 598, 599.
 Admiral's decision, 303.
 Adultery, 85, 229.
 Adventure, Pink, see John's Adventure.
 Alderson, George, 450.
 Alexander, Charles, 452.
 Allanson (Alanson), Thomas, 352, 386-388, 461, 462, 465, 474, 475, 496, 507; *v.* Brookes, 461, 474, 475; *v.* Courtney, 461.
 Allcock, Samuel, 320; *v.* Hawkins, 320.
 Allcotts, William, 511.
 Allen, James, 385; Roger, 422; Thomas, 122, 123, 181, 182, 184, 357; William, 122, 123, 132, 147, 215, 220, 232, 410; *v.* Colclough, 410; *v.* Fenwick, 184, 220; *v.* Overzee, 132, 147.
 Allenby, William, 331.
 Allington, William, 262.
 Amnesty, 259.
 Amsterdam, Holland, 237, 306-310.
 Anderson, Alexander, 344.
 Anderton, John, 63, 64, 92, 97, 98, 130, 139, 156, 157, 166, 175, 178-180, 279, 380, 381, 388, 448, 463; *v.* Bennett, 463; *v.* Bowlin, 130; *v.* Hooper, 130, 179.
 Anketill, Faith, 56; Francis, 56, 139, 178, 179, 182, 200, 252, 253, 263, 503, 596, 601; *v.* Eltonhead, 139.
 Anketill's Neck, 178.
 *Ann Catrin's Week, 492.
 Anne Arundel County, 62, 83, 86, 89, 105, 114, 116, 127, 185, 187, 202, 220, 224, 259, 269, 270, 291, 295, 300, 313-317, 319, 322, 325, 333, 339, 344, 374, 418, 419, 429, 430, 491, 511, 521.
 Antego, 306-309.
 Antonio, Simon, 52, 79, 83, 201, 253, 254, 300.
 Appeal to England, 372, 373.
 Arbitration, 35, 70, 94, 95, 355, 356, 389, 440, 452, 516.
 Archbuckle, Archibald, 313, 317.
 Archer, Henry, 445.
 Armitage, William, 314.
 Armstrong, Francis, 150, 242, 266, 301, 303, 304; Richard, 408.
 Army, John, 543.
 Ascolar, Dennis, 471, 491, 496, 497; *v.* Fendall, 471, 491, 496.
 Ashbiston (Asbiston, Osberstone), William, 129, 157, 161, 181, 463.
 Ashbrooke, John, 293.
 Ashcombe, John, 44, 56, 68, 70, 72, 73, 77, 82, 354, 357, 520; *v.* Johnson, 44, 56; *v.* Martin, 44.
 Ashton, Charles, 388; Peter, 366.
 Assembly summoned, 61, 62, 442.
 Assiter, William, 86, 100, 126, 136, 137, 192, 447, 452; *v.* Ware, 126, 137.
 Atchison (Atkinson, Atcheson), James, 301, 382, 433; Susan (Susanna), 302, 382, 433; Vincent, 185, 194, 199, 228, 310, 323, 349, 395-397, 455, 468-470, 522, 523, 532, 535-538, 588; *v.* Barrett, 323; *v.* Kedger (Cager), 396, 455, 468-470.
 Attachment of goods, 1, 2, 8, 13, 45, 52, 77, 79, 82, 96, 97, 114, 134, 139, 148, 152, 165, 186, 195, 204, 227, 233, 234, 246, 248, 253, 256, 266, 270, 281, 301, 335, 336, 339, 340, 344, 346, 353, 372, 374, 398, 406, 435, 437, 441, 485, 488, 496, 509, 517, 525.
 Attainder, Bill of, 568.
 Attorney, 2, 3, 6, 10, 11, 26, 33, 34, 44, 71, 233, 256, 275, 365; Women not to be for husbands, 233; Power of, 36, 45, 62, 92, 130, 204, 220, 263, 276, 291, 349, 358, 360, 362, 364, 365, 409, 410, 421, 423, 424, 426, 437, 444, 458, 459, 468, 472, 494, 495, 506, 526, 529, 534, 536, 556, 578, 579, 581, 588.
 Attorney General *v.* Bagby, 324; *v.* Barbary, 329; *v.* Barrett, 306; *v.* Bradnox, 482, 500-505; *v.* Cary, 301; *v.* Clayborne, 568; *v.* Coppage, 313, 315, 319; *v.* Courtney, 255, 461, 465, 466, 475, 522, 323;

- v.* Dandy, 81; *v.* Edlow, 523; *v.* Everett, 526; *v.* Fitzherbert, 132, 133, 144, 566; *v.* Fendall, 428, 429, 509; *v.* Gaylord, 525; *v.* Gerard, 414, 427, 429, 464-466, 484; *v.* Gibbons, 457; *v.* Giles, 467, 471, 475; *v.* Goosey, 280; *v.* Hall, 522, 567, 603, 604; *v.* Harbert, 240; *v.* Harris, 430-432; *v.* Holliday, 316; *v.* Holt, 149, 243, 528; *v.* Hotskeys, 100, 141, 206; *v.* Hutt, 268; 287, 288; *v.* Husbands, 308; *v.* Innis, 596, 602, 603; *v.* Jenkins, 447-450, 470, 476, 492, 509, 511; *v.* Lumbrozo, 203; *v.* Morgan, 323, 339; *v.* Naughnongis, 186; *v.* Nevell, 467, 471, 475; *v.* Overzee, 190, 204, 245, 289; *v.* Pauldin, 432, 433; *v.* Preston, 331; *v.* Robins, 20; *v.* Rogers, 429; *v.* Russell, 526; *v.* Savage, 593, 594; *v.* Seeley, 523; *v.* Sharpe, 316, 573, 574; *v.* Stark, 522, 523, 594; *v.* Stockdell, 450, 451; *v.* Taylour, 138; *v.* Thurston, 286, 287, 319, 322, 508; *v.* Vaughan, 526; *v.* Ward, 524; *v.* Welch, 450; *v.* Wilkinson, 150; *v.* Williams, et al., 207, 221, 228, 255; *v.* Woolchurch, 333; *v.* ———, 505, 524.
 Attwicks, Humphrey, 191, 351, 357, 364, 470; James, 500.
 Backhouse, William, 269.
 Bagbey, John, 25, 129, 324, 329, 334, 345, 415, 416, 449; *v.* Preston, 415.
 Bagnall, John, 269.
 Bail bond, 465, 578.
 Baker, Thomas, 139, 165, 201, 292, 497.
 Bale, William, 42.
 Balth (Balch), John, 449, 450, 511, 527.
 Baltimore, Ship, 276; County, 388, 442, 457-460, 462, 465, 467, 568.
 Banks, Margaret, 20; Richard, 64, 88, 123, 176, 340, 427, 482, 497, 498; Thomas, 43-45, 57.
 Bannister, Henry, 117-120, 447, 451, 507; Nicholas, 397.
 Baptist, John, 460, 485, 491, 499, 500; *v.* Colclough, 485, 491, 499, 500; *v.* Lindsay, 460.
 Barbadoes, 269, 306-310, 410.
 Barber, Luke, 18, 28, 29, 45, 53, 201, 202, 204, 217, 228, 234, 240, 248, 255, 256, 279, 289, 297, 298, 324, 332, 339, 341, 344, 346, 353, 368, 563, 570, 581, 595, 599; *v.* Coursey, 353; *v.* Fox, 255, 256; *v.* Morley, 570, 581, 595, 599; *v.* Nevill, 201.
 Barbery (Barbarah) Ann, 31, 329-331; Soliman, 22; Susan, 330, 331, 479; Thomas, 280; *v.* Stone, 31.
 Barham, James, 415.
 Barnan, John, 151.
 Barnes, Francis, 112.
 Barramore, John, 337.
 Barrett, Thomas, 306, 308, 310, 323, 433, 434; William, 34, 402, 461; *v.* Harwood, 34.
 Barriffe, John, 23, 32, 75, 76, 260, 291.
 Bartley (Barkley), Gabriel, 570, 581, 582, 585.
 Barton, Ann, 455, 469, 470; William, 9, 88, 188-190, 340, 343, 455, 478, 480; *v.* Gerard, 188.
 Barton's Creek, 189.
 Barwell, John, 511, 517.
 Basey (Baysey), Edmund, 522; Joane, 45, 66, 177, 220; Michael, 20, 21, 44, 45, 66, 103, 128, 142, 174, 177, 180, 193, 199-201, 220, 221, 249, 261, 275, 276, 404, 417; *v.* Clarke, 142.
 *Basford Manor, 234.
 Bassett, Margaret, 85, 552; Thomas, 134, 552, 553; *v.* Bennett, 553; *v.* Ford, 552, 553.
 Bastardy, 14-18, 291, 329, 522, 524, 528.
 Batchelor, Francis, 530, 551, 556, 569, 576; Thomas, 9, 96; *v.* Simpson, 569.
 Bateman, John, 269, 281, 324, 325, 329, 340, 345, 346, 365, 375, 379-383, 389, 408, 409, 413-416, 424, 425, 440, 444, 449, 456, 458, 466, 484, 486, 488, 493, 496, 516, 520, 542, 572, 586, 594, 597, 598; Mary, 597, 598; *v.* Anderson, 380, 381; *v.* Knowles, 408; *v.* Lawrence, 488; *v.* Lee, 365; *v.* Palldin, 382; *v.* Patrickson, 324, 329, 345, 382, 415.
 Bathe, Peter, 192, 303, 344, 352, 379, 382, 391, 394, 399, 412, 439; *v.* Champion, 303.
 Batt, Nathaniel, 82, 186, 234, 254.
 Batten, William, 83, 134, 176, 260, 323, 354-356, 363, 364, 369, 370, 381, 388, 455, 569, 578-580, 603; *v.* Slye, 578, 579; *v.* Stone, 134, 176, 260.
 Battery, 301, 461, 474, 475, 529, 596.
 Baxter, Mary, 112; Roger, 106, 107.
 Bayley, Godfrey, 302, 320, 409, 457; Richard, 399; Thomas, 549, 571.
 Bayspoole, John, 302.
 Beane, James, 525; Ralph, 102; Walter, 94, 298, 344, 468, 469, 471, 491, 503; *v.* Medley, 525.
 Beard, Richard, 419.
 Beaueres, Christopher, 514.
 Beaver, 4, 13, 69, 70, 115, 158, 305, 535-537, 583; Neck, 105, 106, 108, 110, 168, 298, 300.
 Beckwith, Francis, 207, 281, 341; George, 34, 207, 281, 384, 462.
 Bedlum, Elizabeth, 467, 472; *v.* Lee, 467, 472.
 Bellcher, Thomas, 32, 33, 73, 120, 131, 137, 204, 207, 231, 243, 244, 257, 296, 297, 340, 380-383, 413, 414, 417, 420, 432, 471, 472, 486, 572, 594; *v.* Cole, 131.
 Benham, Matthew, 306, 309, 310.
 Bennett, John, 510; Richard, 86, 132, 340, 419, 447, 457, 496, 499, 521, 539, 553; Thomas, 125, 228, 323, 438, 439, 446, 447, 463, 478, 551-553, 555, 569, 576, 584; *v.* Gerard, 323.
 Benson, John, 410; Sara, 163; Stephen, 130, 162, 163, 327.
 Bently, Richard, 381, 383, 596, 600; *v.* Graves, 383.
 Bents, William, 253.
 Berkeley, Edmond, 62, 305, 361.
 Bernard, William, 499.
 Berry, William, 4, 35, 36, 48, 66, 279, 331; *v.* Sewell, 4.
 Besson, Thomas, 89.
 Bevin, Hugh, 199, 202, 231, 243, 267, 281, 324, 397, 406, 417, 451; *v.* Colclough, 406; *v.* Harvey, 324, 406, 451; *v.* Overzee, 199, 231, 267, 281, 282.
 Bigamy, 150, 228, 243.
 Bigger, Ann, 480; John, 219, 277, 480.
 Biggs, Anne, 330.
 Billingsley, Francis, 335; James, 517; John, 8, 344, 353, 392, 517, 522; Thomas, 511, 516-518, 521; *v.* James, 511, 516-518; *v.* Parker, 511, 521.
 Biscoe, John, 122, 129, 132, 160, 181, 450, 491; *v.* Keytin, 132.
 Bishop, Henry, 126, 137; Joseph, 387, 388.
 Bisse, Thomas, 384.
 Black, Ann, 555; William, 150, 398, 513, 518, 532, 554, 555.
 Blacketor, George, 334.
 Blasphemy, 203.
 Blessing, Ship, 542.
 Blinkhorne, Robert, 44, 56, 198, 242, 243, 267; *v.* Harwood, 56.
 Blunt, Richard, 313, 318, 319; *v.* Thomas, 313, 318, 319.
 Boat, 79, 102, 152-154, 186, 188, 223, 235, 240, 314, 315, 408, 581, 593, 594.

- Bogue (Bouge), John, 132, 167, 217, 218, 220, 277-279, 327, 453, 454, 478, 503, 597.
- Bolaine, John, 83, 119; *v.* Trew, 119.
- Bonam, John, 24; *v.* Lawrell, 24; (Bonham), Samuel, 22, 97, 387.
- Bonnefield, Christian, 149, 150, 229, 230, 244, 528, 529, 571, 591, 592.
- Books, 100, 124.
- Boreman (Boarman), William, 40, 50, 51, 52, 70, 71, 84, 85, 95, 111, 112, 122, 133, 139, 141, 150, 152-155, 167, 198, 221, 244, 247, 269, 278, 310, 323, 340, 343, 438, 523, 568, 571, 588, 593; *v.* Brookes, 40, 70, 133, 152; *v.* Chayrman, 40, 71, 95; *v.* Deere, 111.
- Boston, Mass., 354, 410, 525.
- Boswell, John, 395.
- Bott, Richard, 352.
- Boulton, John, 573.
- Bowles, William, 293.
- Bowling, James, 98, 130, 156, 157, 166, 175, 179, 388, 447, 595; *v.* Anderton, 98, 156, 157, 166, 388.
- Bowne, William, 408.
- Bradaway, Nicholas, 271-274.
- Bradnox, Mary, 108, 436, 482, 500-506; Nicholas, 436; Thomas, 89, 105-108, 113, 274, 298, 300, 435, 436, 482, 500-505; *v.* Southern, 435; *v.* Taylor, 506.
- Bradshaw, George, 571, 588.
- Bramley House, 234.
- Brammalles (Brammall, Bromell), William, 15, 183, 200; *v.* Ketherton, 200.
- Brandson (Branson), Thomas, 8, 77, 152.
- Brasheers, Benjamin, 419, 511.
- Brasse, Anne, 268, 296.
- Brent, Margaret, 26, 27, 91, 92, 111, 175, 176, 454; Mary, 94; *v.* Holman, 111.
- Brenton, William, 410, 411, 419, 420.
- Brereton, Thomas, 246; William, 391.
- Bretton (Britain, Briton), George, 117; Temperance, 531; William, 41, 43, 44, 46, 48, 51-54, 56, 58, 60, 70, 90, 92, 101, 103, 105, 117, 118, 121, 129, 160, 185, 191, 192, 197, 202, 227, 237-241, 249, 259, 269, 276, 301, 304, 305, 312, 324, 331, 341, 346, 357, 374, 388, 405, 422, 432, 438, 467, 490, 513, 531, 551, 566; *v.* Goodrick, 60; *v.* Lindsey, 357; *v.* Smith, 185, 249.
- Bretton's Bay, 47, 266, 347, 494, 557, 563, 566; *Outlet, 531.
- Brewer, John, 89.
- Bristol, England, 363, 370, 386, 387, 411, 412.
- Brockett, Ann, 422; Samuel, 422, 491, 496, 505; *v.* Marsh, 422, 491, 496, 505.
- Brodhurst, Walter, 95.
- Brookes (Brooke), Baker, 66, 139, 147, 157, 160, 177, 197, 202, 204, 217, 228, 234, 240, 248, 256, 270, 289, 325, 326, 332, 339, 344, 346, 374, 375, 383, 413, 424, 425, 444, 448-450, 456, 466, 468, 484, 491, 493, 496, 513, 516, 542, 571, 597; Charles, 197; Francis, 40, 58, 70, 84, 106-111, 126, 131, 133, 142, 152, 158, 193, 196, 198, 226, 262, 300, 313, 350, 371; Mary, 197; Michael, 3, 9, 12, 22, 30, 34, 62, 80, 89, 102, 180, 184, 325; Robert, 197; Thomas, 146, 198, 313, 350, 371, 478, 597; William, 461, 474, 475, 539; *v.* Conner, 58; *v.* Games, 597; *v.* Veitch, 184.
- Brough, William, 102.
- Brown (Browne), Anne, 52, 53; Daniel, 294, 295, 326; Devorax, 433, 541; John, 10, 115, 213, 214, 248, 495; Richard, 64, 74, 410, 494; Thomas, 242; William, 298, 417, 419, 447; *v.* Kingsbury, 433; *v.* Estate of Moore, 10; *v.* Robinson, 494; *v.* Sinkler, 541.
- Browning, Daniel, 410.
- Bruff, Henry, 573, 574.
- Bryant, Mathias, 351; ———, 185.
- *Buckingham, 458.
- Building House, 281, 366, 367, 526.
- Bullen, Henry, 350.
- Bullett (Boulett), Joseph, 520, 584.
- Burbage (Buridge), George, 83; John, 139, 163; Thomas, 126, 142, 518, 522.
- Burclon, Richard, 427.
- Burdeck (Burditt), Thomas, 196, 250, 305, 389, 416, 430, 432-434, 441, 448, 449, 451, 453, 461, 570, 585, 586; 598; 599; *v.* Michells, 461; *v.* Morris, 389, 433; *v.* Stanley, 481; *v.* Trueman, 598.
- Burgess, William, 427, 428; Pay of, 176.
- Burke, Richard, 534.
- Burle, Robert, 89, 321.
- Burridge, see Burbage.
- Burrowes, Nathaniel, 130.
- Burton, Edward, 112.
- Bushell, Edward, 424, 462; Thomas, 470, 471, 583, 584; William, 396, 410, 463, 467, 474, 498, 509, 516, 532, 584; *v.* Dent, 463, 467, 474, 498, 509, 520, 532; *v.* Price, 396.
- Bussey, George, 5, 24, 385.
- Butcher, Ninian, 354, 355.
- Butler, Thomas, 181.
- Butteris (Buttery), John, 333, 395, 396; *v.* Lewis, 333.
- Buttriffe, John, 305; *v.* Lewis, 305.
- Cabreth, see Cobreth.
- Cager (Caiger), see Kedger.
- Callaway, Jeremiah, 213-215.
- Calvert, Cecil, Lord Baltimore, 373, 375, 534; Charles, 87, 493, 496, 508, 509, 513, 516, 525, 533, 541, 571, 573, 598, 604; Leonard, 181, 182, 453, 454, 533, 534; Philip, 41, 43, 47, 48, 50, 51, 56, 59, 65, 66, 91, 92, 95, 100, 101, 105, 113, 116-123, 131, 138, 140, 147, 157, 160, 176, 181, 186, 192, 202, 204, 209, 211-213, 217, 228, 229, 230, 234, 240, 248, 256, 265, 266, 270, 277, 286, 289, 301, 302, 306, 308, 310, 311, 314, 315, 319, 325, 326, 332, 344, 346, 364, 372, 374, 375, 385, 397, 398, 402, 404, 406, 408, 413, 420, 424, 429, 444, 448-452, 456, 458, 465, 466, 468, 474, 481, 484, 489, 492, 493, 496, 499, 508, 513, 516, 520, 533, 541, 555, 557, 558, 560, 564, 568, 571, 574, 595, 597, 598, 603, 604; William, 463, 474, 507; *v.* Cooke, 346; *v.* Mee, 192; *v.* Pennington, 507; *v.* Stone, 388, 389, 435, 453, 454.
- Calvert (Calverton) County, 38, 42-45, 48-50, 54-57, 61, 62, 65, 77, 81, 86, 89, 95-98, 101, 103, 104, 114, 119, 127, 129, 130, 134, 138, 178, 182-185, 193, 196, 198-200, 202, 227, 228, 232, 233, 246, 257, 259, 260, 265-268, 270, 286, 295, 296, 299, 301, 303, 323-325, 329, 332, 334, 336, 340, 344, 345, 353, 371, 379-385, 388, 389, 392, 394, 396, 397, 399, 404, 419, 432, 441, 462, 465, 467, 486, 487, 490, 508, 511, 516, 529, 530, 551, 569, 570, 581, 582, 586, 595, 597, 598.
- Canada (Canaday), see Kennedy.
- Cane, see Kane.
- Canoe, 34, 65, 233; Neck, 143, 144, 188.
- Capps, William, 500.
- Carlile Bay, 307, 310.
- Carline, Henry, 112, 272.
- Carpenter, Bennett, 410; Charles, 366; Francis, 433, 480, 519; Symon, 457, 475, 492, 519; Thomas, 55, 126, 133, 173, 340.
- Carr, Martha, 574; Nicholas, 520, 573, 574; Peter, 27, 91, 292.

- Carter, Edward, 444, 445, 460.
 Cartwright, Anne, 510.
 Carvell, John, 71.
 Carver, William, 442-444.
 Carwarden (Caraden), Peter, 267, 282, 451, 452, 515.
 Cary, Christopher, 23; James, 80; John, 91; Thomas, 31, 80, 268, 280, 281, 290, 301; *v.* Golsen, 268, 280, 281, 290; *v.* Hooper, 31, 80; *v.* Letchworth, 23.
 Case, Action on, 38-40, 42, 44, 45, 48, 50, 52, 56, 57, 61, 67, 95, 97, 98, 101, 103, 111, 112, 119, 122, 123, 127-130, 133, 134, 183-185, 193-196, 198-201, 257, 259-261, 266-268, 301, 304, 313, 314, 323, 324, 365, 380, 382, 384, 385, 388, 389, 393, 394, 396-398, 404, 405, 409, 442, 461-463, 467, 468, 486, 487, 488, 490, 491, 509, 512, 513, 530, 532, 567-571, 595-597.
 Catchmay, ———, 241, 242.
 Cattherins (Kathrins), John, 510, 511.
 Cattle, 8, 18, 19, 29, 30, 43, 52, 54, 56-60, 67, 68, 70, 71, 74, 81, 83-85, 97, 98, 100-103, 111, 112, 115, 117, 122, 125, 129, 130, 132, 134-136, 148, 158-161, 165, 167, 173-175, 182, 183, 185, 192, 193, 195, 198, 202, 205, 215, 216, 226, 230, 234, 237, 238, 240, 241, 248, 251-253, 262, 264, 266, 269, 280, 301, 303-305, 311, 312, 317, 318, 323, 324, 392, 416, 431, 436, 444, 463, 481, 508, 523, 529, 585, 586, 599, 604.
 Cawsine, Ignatius, 54, 55, 172, 173; Jane (see Clarke), 54, 55; Nicholas, 54, 55, 82, 148, 170-173, 226, 227.
 Cedar Point, 96.
 Cely, see Selye.
 Chalke, Francis, 511, 516, 521.
 Chamberlaine, Leonard, 519.
 Chambers, Jane, 157, 181.
 Champian, Thomas, 303.
 Chandler, Ann, 399; Job, 51, 59, 82, 83, 99, 128, 139, 141, 142, 147, 171, 173, 182, 184, 187, 188, 199, 204, 205, 207, 210, 211, 213, 217, 228, 231, 232, 234-236, 240, 254, 261, 286, 306, 311, 312, 323, 327, 335, 500; *v.* Cornelius, 184; *v.* Jackson, 128, 139, 141, 142; *v.* Lindsey, 254.
 Chaplan, William, 81, 280, 285, 385.
 Chapman, Thomas, 317, 318.
 Chaptico, 565.
 Charity, Ship, 305.
 Charles County, 58, 62, 79, 83, 86, 95-97, 99, 119, 128, 133, 134, 138, 160, 168, 169, 193, 194, 199, 201, 202, 259, 265, 268, 270, 291, 292, 323, 324, 333, 344, 363, 388, 389, 392, 393, 394, 398, 399, 429, 442, 460, 482, 487, 491, 495, 497, 508, 511, 512, 539, 556, 563, 569-571, 579, 586, 587, 596, 598; Erection of, 87.
 Charnly, Thomas, 534.
 Charon (Chearon), John, 50, 61, 95; *v.* LeCompte, 61.
 Chayrman (Chareman), see Sherman.
 Chew, Samuel, 304, 334, 335, 429, 430, 445, 511; *v.* Peake, 304, 334, 335.
 Chicken, Edward, 194, 532, 555.
 Christian, Adam, 240.
 Cissell, John, 553.
 Clahay, Arthur, 54.
 Clap, Francis, 477.
 Clapon, William, 247.
 Clarke, Jane, 169, 170, 172, 226; John, 97, 98; Matthew, 425, 578; Robert, 51, 55, 65, 66, 82, 97, 98, 101, 106, 107, 142, 148, 169, 170, 194, 195, 198, 199, 202, 204, 217, 224, 227, 228, 234, 240, 248, 250, 256, 259, 262, 265, 270, 286, 289, 319, 329, 344-346, 348, 352, 372, 374, 375, 388, 413, 424, 425, 444, 448-450, 466, 468, 484, 491, 493, 496, 507, 530, 533, 541, 570, 571, 578, 584; *v.* Bretton, 374; *v.* Hawley, 348; *v.* Lewis, 265.
 Clawson, William, 13, 14.
 Claxston (Cloxston, Cloxstone, Claston), Edward, 39, 70, 122, 152, 193, 196, 258.
 Clay, Elizabeth, 105, 110; Francis, 367; Henry, 105.
 Clayborne, William, 499, 568.
 Clayborne's Island, 597.
 Clement, William, 600.
 Clifton, James, 569, 580; *v.* Macklane, 569, 580.
 Clifts, The, 334, 353, 396, 516-518, 521, 578.
 Clocker, Catharine, 392; Daniel, 150, 185, 207, 208, 222, 243, 245, 289, 310, 323, 327, 335, 344, 357, 368, 389, 391, 409, 417, 420, 427, 461, 465, 466, 467, 471, 503, 509, 515, 520, 539, 553, 570, 574, 588, 604; Elizabeth, 212, 392; John, 392; Mary, 185, 207-213, 221-223, 245, 255, 368, 383, 391, 392, 398, 414; *v.* Chandler, 323, 327, 335; *v.* Gwyther, 368; *v.* Warden, 389, 398, 420.
 Coberthat (Coburtknapt), Robert, 2, 480.
 Cobham, Thomas, 479.
 Cobreth, John, 392, 517.
 Cockerel, John, 1, 389; *v.* Lumbroso, 389.
 Cockshott (Cocksute), Jane, 169, 170, 172, 173; Mary, 55, Colclough, George, 403-406, 410, 425, 440, 441, 461, 464, 477, 485, 499, 509; Elizabeth Overzee, 403-406, 410, 425, 516.
 Cole, Francis, 532; Josias, 104, 105, 203; Martin, 201, 254, 405; Richard, 399; Robert, 8, 90, 91, 99, 100, 131, 137, 170, 173, 174, 177, 185, 194, 195, 197, 221, 231, 237-239, 242, 344, 352, 354, 362, 365, 419, 425, 467, 471, 476, 480, 481, 509, 531, 565; William, 132, 137, 260, 295, 311, 312, 398, 447, 490, 567; *v.* Bretton, 237; *v.* Games, 567, 568; *v.* Pryor, 201, 254; *v.* Thomas, 350, 351; *v.* True, 399, 425.
 Coleman, Ellis, 512, 514; John, 195, 446, 514.
 Collett (Collect), John, 458; Richard, 31, 36, 126, 142, 185, 195, 196, 326, 327, 409, 420, 422, 457, 461, 496, 503, 509, 512, 515, 516, 529, 569, 574, 598; *v.* Clarke, 195; *v.* Hammington, 31.
 Collins, John, 33, 356; William, 512; *v.* Potter, 356, 357.
 Comins, ———, 596.
 Coney, ———, 158.
 Congreve, Richard, 545.
 Conner, Philip, 58, 62, 89, 105, 107, 108, 300, 382, 395, 503, 504.
 Conspiracy, 506.
 Constable, Appointed, 91, 99, 119; Refusing office, 418; Oath, 91.
 Contempt of Government, 553.
 Cooke, Andrew, 539; Edward, 511; Henry, 510, 511; John, 454; Miles, 260, 276, 277, 302, 308, 346, 356, 357, 364, 367, 440, 516; William, 471; *v.* Attwicks, 357, 364; *v.* Clarke, 367; *v.* Foster, 357.
 Coomes, Philip, 385.
 Cooper, Joseph, 600; Robert, 53, 54, 576; Sampson, 456, 467, 472; Samuel, 344, 456.
 Copley, Jane, 452; Thomas, 102.
 Coppage, Edward, 108, 112, 313, 315, 316, 319.
 Copper Lace, 31, 80.
 Copyhold, 507.
 Corbin, Henry, 350, 538; *v.* Turner, 538, 539.
 Cormace, see McCormack.
 Cornelius, Elionor, 296; John, 30, 33, 38, 64, 67, 68, 75, 76, 166, 184, 185, 204, 207, 268, 296, 297; William, 147; *v.* Land, 75.
 Cornish, Robert, 193, 194, 364.
 Cornwallis (Cornwallays), Penelope, 515; Thomas, 2, 39, 40, 61, 62, 69, 82, 99, 119, 130-132, 138-142, 167, 186, 188, 193, 195, 196, 198, 200, 201, 217, 219,

- 223-226, 233, 235, 236, 241, 242, 247, 250, 254, 258, 260, 261, 267, 275, 276, 278, 279, 282-284, 296, 300, 301, 305, 306, 329, 336, 344, 345, 382, 384, 388, 397, 399, 400, 403, 411, 413, 415, 416, 423, 425, 426, 434, 436, 437, 442, 462, 487, 488, 515, 533, 543, 547, 548, 578, 596; *v. Atcheson*, 535; *v. Bateman*, 413, 414; *v. Baysey*, 200, 220, 261, 275, 276; *v. Bonham*, 96; *v. Boreman*, 568; *v. Brooks*, 193; *v. Burrows*, 130; *v. Burdeck* (Burditt), 196, 250, 305; *v. Colclough*, 403; *v. Cole*, 198; *v. Chandler*, 82, 99, 139, 186, 198, 199, 206, 234, 254, 261, 399; *v. Cranley*, 193; *v. El-lery*, 261, 283, 284; *v. Ferreira*, 196, 223, 301; *v. Gooderick*, 40, 69; *v. Jarboe*, 195; *v. Land*, 61; *v. Lord*, 141; *v. Lindsey*, 226; *v. Mace*, 193, 198, 250; *v. Medley*, 131; *v. Mitchell*, 195, 233, 247, 281, 397; *v. Micheels*, 388, 442, 568, 578; *v. Nevett*, 261; *v. Overzee*, 193, 235; *v. Parker*, 39, 69, 141; *v. Penny*, 436; *v. Pille*, 260; *v. Phillpott*, 193; *v. Pheypo*, 132, 138; *v. Shep-ey*, 39, 195, 198, 241, 400; *v. Sprigge*, 196; *v. Spinke*, 400, 423, 424; *v. Styles*, 193, 198, 399; *v. Thompkin* (Thomp-kinson), 39, 69; *v. Tilney*, 437; *v. Wade*, 282, 284; *v. Watson*, 119; *v. Webbe*, 201, 258; *v. Wright*, 267.
- Coroner's Jury, 385, 451, 452, 480.
- Corwaine, Teague, 362; *v. Mitchell*, 362.
- Cosby, Thomas, 385.
- Costs of Suit, 256, 257.
- Cotten, Edward, 569, 582, 583.
- Couers, James, 65.
- Counyer, Quintin, 456, 457.
- Coursey, Henry, 5, 10, 11, 34, 39, 44, 66, 69, 78, 89, 98, 106, 114, 127, 145, 148, 149, 151, 152, 156, 174, 180, 200, 201, 203, 204, 207, 215, 252, 253, 303, 310, 321, 322, 326, 329, 345, 346, 349, 353, 369, 375, 377, 382, 413, 417, 422, 424, 425, 433, 434, 436, 440, 444, 449, 450, 454-456, 466, 468, 484, 486, 516, 524, 526, 529, 530, 571; John, 62, 69, 86, 108, 112-114, 266, 344; Wil-
liam, 62, 86, 89, 114, 152, 156, 182, 276, 296, 311, 321, 322, 344, 349, 364, 433, 434; *v. Baysey*, 44, 66, 174; *v. Edlow*, 152; *v. Land*, 127, 148; *v. Manning*, 526, 530; *v. Morris*, 266; *v. Seamor*, 10, 11, 152; *v. Smith*, 39.
- Court Baron, 94, 480.
- Courtman, Capt. ———, 308.
- Courtney, James, 185; Thomas, 128, 142, 185, 207-209, 212, 213, 221, 223, 255, 267, 391, 420, 461, 465-467, 522, 523, 532, 551, 604.
- Courts, John, 447, 448.
- Covell, Anne, 295; John, 317; Richard, 323; *v. Battin*, 323.
- Covenant, Action of, 285, 296, 509.
- Coxe, Edward, 296; Henry, 5, 23.
- Crabtree, John, 40-42, 123, 131, 177.
- Cragbone, Richard, 541.
- Crane, Robert, 305.
- Cranly, Anne, 221, 276; Michael, 132, 193, 221, 276; Nicholas, 480.
- Crayford, William, 447, 448, 450.
- Crescent, Ship, 355.
- Cromwell, Oliver, death of, 258; Richard, proclaimed pro-
tector, 258.
- *Cross, The, 235, 278, 296, 308, 329, 347, 412, 413, 469, 487, 488, 514, 537, 543, 547.
- Cross Creek, 522.
- Crouch, George, 112; Ralph, 54, 59, 126, 133, 157, 185, 194, 197, 199, 217, 260, 264, 267, 277-279, 472; *v. Fenwick*, 185, 199, 217, 260, 267, 277-279.
- Daly, Bryant, 218, 267, 405, 418.
- Dammarell, Mary, 35, 36.
- Dandy, John, 12, 13, 52, 70, 81, 82, 206, 207, 257, 281, 421.
- Daniel, John, 214, 215.
- Daniels, Thomas, 412.
- Darcy (Dorcy), Edward, 314, 320.
- Darling, Thomas, 566.
- Darnall (Dernall), Elizabeth, 474; John, 65; Mary, 65, 66; Philip, 534.
- Daughy, Enoch, 507.
- Davies (Davis), John, 49, 55, 150, 202, 324, 394, 452, 589; Thomas, 7, 67, 135-137; *v. France*, 67; *v. Garford*, 55; *v. Sprigge*, 55.
- Dawbone, Thomas, 573.
- Dawson (Dowson), John, 454, 475.
- Day, John, 266, 285, 331.
- Deaver, Richard, 313, 317; *v. Archbuckle*, 313, 317.
- Debt, Action of, 1-14, 23-26, 30-34, 38-40, 42, 44, 48-50, 52, 55-57, 61, 69, 75, 83, 95-98, 112, 119, 122, 123, 126-128, 131-134, 165, 166, 182, 184, 185, 193-196, 198-202, 260, 261, 266, 267, 304, 311, 314, 323, 325, 365, 380-382, 384, 392, 394-397, 399, 400, 403, 404, 406, 442, 461, 465, 486-488, 507, 509, 512, 532, 570, 571, 596, 597.
- Debts, Small, 414.
- Deed of Gift, 30; Land (See Real Estate), 47, 122, 136.
- Deere, John, 111, 112.
- Defamation, 96, 122, 129, 132, 267, 389, 433, 445, 529, 532, 551, 569, 571, 596, 597, 601.
- Demurrer, 566.
- Dennis, John, 451.
- Dent, Thomas, 436, 448, 451, 463, 467, 469, 476, 498, 509, 520, 538, 552, 554, 575; *v. Dickason*, 436.
- Detinue, 58, 70, 71, 74, 100, 303, 379, 480, 509.
- Dew, Patriarke, 385.
- Dexter, Edward, 253.
- Dickinson (Dickson), Andrew, 386, 569, 570, 580-582; Wal-
ter, 436.
- Dike, James, 65.
- Dinian, Thomas, 99.
- Direckson, Skipper Jacob, 102, 307, 316.
- Disorderly Conduct, 525.
- Divine Service, Disturbing, 522, 523.
- Dobbs (Dabb), John, 503, 504.
- Dobson, Samuel, 472, 585.
- Dode (Dod), Mary, 293; Rich-
ard, 293, 343.
- Dodman, John, 64, 287, 288, 597; *v. Calvert*, 597.
- Dodson, Jervice (Garvase), 195, 256, 270, 338, 339, 348.
- Dormer, Dearmid, 478.
- Dorrell, George, 314, 315, 317.
- Dorrington, Anne, 16, 17, 285; William, 14-16, 23, 34, 38, 67, 77, 80, 150, 174, 286, 472, 580; *v. Cornelius*, 67; *v. Meese*, 50, 80; *v. Morris*, 23.
- Douay, College of Secular
Priests at, 116.
- Doughty, Francis, 343; Rev.
Matthew, 84.
- Douglas, John, 28.
- *Drayton, 463.
- Dudley, William, 511.
- Dunn, Robert, 112.
- Durand, William, 1, 283, 300.
- Duress, 424.
- Dutchman, Adam, 193.
- Dyer, William, 500.
- Dyniard (Diniard), Thomas, 159, 192.
- Dyott, Sir Richard, 549, 550, 572.
- Eale, William, 71, 202, 241, 310.
- Earmarks, 29, 56, 57, 59, 61, 85, 95, 98, 101, 103, 129, 130, 134, 136, 159, 160, 182, 183, 185, 192, 198, 202, 234, 266, 268, 301, 303, 304, 305, 311, 312, 323, 324, 392, 444, 463, 529.
- Edlow, Joseph, 10, 103, 152, 217, 329, 330, 409, 598, 599; *v. Walton's Adminr.*, 599.

- Edmonds, Joseph, 349; *v.* Tilney, 349.
 Edwards, Isaac, 181; Samuel, 454; William, 246, 260.
 Edwin, Mary, 197; William, 95, 99, 119, 195, 197, 215, 216, 241, 276, 302, 340; *v.* Smith, 95.
 Eere of New England, Ship, 423.
 Eldrid, Thomas, 573.
 Elkeen's Neck, 602.
 Ellery, Henry, 227, 261, 283, 305, 404, 447, 471, 483; Mrs. —, 283; *v.* Colclough, 404.
 Elston, Thomas, 452, 541.
 Elton, James, 573.
 Eltonhead, Edward, 38, 78, 305; Jane, 12, 28, 34, 38, 71, 78, 101, 139, 174, 175, 178-180, 199, 252, 253, 257, 258, 279, 305, 345, 595; William, 38, 78, 103, 178, 180, 262, 263, 345, 595; *v.* Anketill, 178; *v.* Clarke, 101; *v.* Fendall, 78, 257; *v.* Eltonhead, 38, 78, 305; *v.* Scarborough, 199, 258, 279.
 Elwes, Thomas, 334.
 Elzey, Arnold, 423; John, 465, 478, 486, 492, 566, 594; *v.* Hooper, 465.
 Empson, William, 12, 27, 96, 133, 165, 344, 454; *v.* Linsey, 12, 96, 139; *v.* Marshall, 133, 139, 165.
 Ennis, William, 49, 128, 174, 324, 329.
 Equity, 10, 75, 81, 151, 186, 193, 195, 198, 199, 206, 234, 254, 282, 370, 396, 442, 505, 511-513, 542-550, 557, 570, 572, 601.
 Error, Writ of, 257.
 Eures, Mrs., 101; Thomas, 116, 117.
 Evelin, George, 343, 344; Robert, 543.
 Evens (Evans), William, 1, 2, 3, 9, 12, 22, 32, 43, 51-53, 61, 62, 64, 68, 74-76, 81, 88, 89, 102, 128, 159, 160, 174, 184, 192, 260, 286, 299, 332, 340, 345, 385, 417, 431, 476, 490, 525, 531, 538, 552-554, 557-566, 568, 570, 575, 578, 579, 583, 584, 589, 590, 600, 604; *v.* Clarke, 570, 579; *v.* Gerard, 52, 74; *v.* Hill, 583, 584; *v.* McKinney, 2, 260, 291; *v.* Pille, 557-566; *v.* Thomas, 573; *v.* Turner, 568, 578, 600.
 Everett, John, 526.
 Evidence, 328.
 Ewens (see also Evans), Richard, 1; Captain William, 62, 127, 289, 300, 410; Admin. *v.* Coberthat, 2; *v.* Johnson, 32.
 Extortion, 138.
 False Imprisonment, 370.
 Farlow, Alexander, 306.
 Farmer, Michael, 479.
 Farrera (Farreira, Fereira), David, 11-13, 35, 45, 48, 49, 56, 57, 70, 73, 98, 128, 151, 167, 196, 200, 202, 223, 224, 226, 301, 303, 404, 405, 441; *v.* Basey, 404; *v.* Berry, 49, 128; *v.* Bretton, 405; *v.* Cole, 405; *v.* Davies, 49; *v.* Ennis, 49; *v.* Jolly, 12, 13, 48, 56; *v.* Lumbrozo, 405, 441; *v.* Price, 405; *v.* Seamer, 11; *v.* Smith, 44; *v.* Tilghman, 301; *v.* Warren, 200, 202, 226.
 Feast, Daniel, 444, 445.
 Fees of Officers (see Sheriff), 104, 134.
 Fendall, Josias, 19, 38, 51, 52, 61, 65, 66, 71, 74, 78, 81, 88, 89, 92, 93, 95, 101, 103, 105, 114, 127, 131, 132, 134, 138, 139, 147, 150, 157, 160, 177, 179, 180, 183, 186, 188, 190, 200-202, 204, 216, 217, 223, 224, 228, 229, 233, 234, 236, 239, 240, 248, 249, 252, 256-259, 261, 270, 288, 289, 292, 297, 305, 306, 309, 310, 313-315, 319, 325, 326, 328, 332, 333, 339, 342, 344, 346, 373, 374, 396, 427-429, 447-450, 468, 471, 480, 491, 496, 508, 509, 565, 570, 575-579, 596, 597, 600; *v.* Baysey, 200; *v.* Hatch, 570; *v.* Kidson, 575, 576; *v.* Slye, 596, 600; *v.* Taylor, 490; *v.* Waring, 490, 496.
 Fenine, Dermott, 303, 305.
 Fenwick, Cuthbert, 57, 142, 167, 219, 261-263, 278, 279, 455, 462, 476; Ignatius, 262, 263, 383; Jane Eltonhead (Morrison), 3, 32, 33, 57, 66, 70, 122, 132, 142, 167, 180, 184, 194, 199, 217-220, 260-263, 267, 277-279, 328, 455, 476; John, 263; Richard, 178, 263; Robert, 178, 262; Teresa, 263; *v.* Boreman, 132, 167; *v.* Hall, 194; *v.* Land, 57; *v.* Pakes, 122, 132, 167; *v.* Pope, 70.
 Ferguson (Forgesson), Alexander, 336.
 Fisher, Francis, 194, 532, 554, 555.
 Fitzherbert, Rev. Francis, 43, 132, 133, 144-146, 171, 263, 566, 567.
 Flogging, 255, 331.
 Flood (Floyd), John, 159, 494.
 Flour, 20.
 Ford (Foord), Robert, 147, 552, 553.
 Forfeiture of land for treason, 110.
 Forrest, Patrick, 3, 5, 12, 104, 113, 176, 179, 264, 283, 340, 432, 475, 478.
 Fortune, Ketch, 442.
 Fossett, John, 203.
 Foster, Anne, 129; Richard, 38, 82, 100, 141, 344, 357, 417, 430, 432, 438, 463, 465, 475, 484, 566; Seth, 89.
 Fowke (Fowkes), George, 386; Gerard, 115; Richard, 451; Thomas, 86, 137, 247.
 Fox, Henry, 32, 45, 79, 83, 84, 102, 157, 159, 197, 255, 256, 266, 294, 297, 298, 324, 370.
 Fox's Point, 297.
 Frame, Elizabeth, 67.
 Franckum (Francomb), Henry, 534, 539, 575; *v.* Wheeler, 539, 575.
 Freeman, Elizabeth, 314, 317; John, 320, 321; Lewis, 128, 137; *v.* Holt, 128, 137; *v.* Meares, 314, 317.
 French, Nathaniel, 200.
 Frissell, Forker, 194, 310; Sarah, 267.
 Fuller, William, 1, 62, 106, 116, 162-164, 272-274, 295, 300, 365, 427, 428, 470, 492, 528.
 Funeral expenses, 254, 335, 351.
 Fynney, William, 543, 545, 549, 550, 572.
 Galey, Richard, 307, 310, 371.
 Galloway (Galway), Anthony, 83, 89, 129, 419.
 Games, Richard, 146, 228, 289, 327, 410, 446, 447, 451, 453, 462, 553, 567, 568, 602; *v.* Beckwith, 462; *v.* Bennett, 446, 447; *v.* Carpenter, 410.
 Gaming Debt, 585.
 Gardiner (Gardner), Isaac, 62; Julian, 393; Luke, 11, 132, 133, 139, 143, 144, 344, 354, 393, 476, 487, 490, 493, 494, 531, 538, 552, 559, 564, 565, 570, 579, 588-591; Richard, 385; *v.* Gerard, 132, 133, 139, 143, 144.
 Gardiner's Creek, 393.
 Garford, Richard, 55.
 Garill, Richard or John, 19, 20.
 Gary, John, 573, 574; Stephen, 14, 61, 72, 73, 103, 136, 137, 179, 420; *v.* Moore's Estate, 14.
 Gaston, England, 386.
 Gaylord, James, 61, 94, 138, 182, 525; Stephen, 100, 101; *v.* Phelps, 61, 138, 182.
 Gee, John, 431, 438.
 Geery, Oliver, 581.
 George, Griffin or Griffith, 15, 16, 529, 569, 570, 580-582.
 Georgestown, 460.
 Gerard (Gerrard, Garrett), Elizabeth, 263; Justinian, 197; Susan, 143, 144, 170, 188, 192, 265, 373, 544; Thomas, 1, 10, 18, 19, 21, 22, 51, 53, 65, 66, 74, 85, 86, 94, 95, 99, 128, 131-133, 139, 141, 143-146, 158-160, 166, 169-174, 176, 186, 188, 189, 197, 234, 238,

- 248, 260, 265, 267, 270, 285;
286, 323-326, 332, 339, 344,
346, 365, 368, 371-374, 384,
398, 414, 427-429, 449, 463,
464, 467, 471, 472, 476-478,
480, 481, 484, 486, 492-494,
506, 525, 527, 530-532, 539-
549, 566, 567, 569-572, 583-
585, 595, 596, 598; *v.* Belcher,
471, 472; *v.* Cole, 467, 476,
480; *v.* Evans, 128, 159, 160,
286; *v.* Goodrick, 131; *v.*
Hall, 267, 285; *v.* Jarboe, 267,
285, 324; *v.* Lindsey, 133; *v.*
Mitchell, 85, 86; *v.* Reynolds,
532, 569, 583; *v.* Thompson,
486, 492, 493, 506, 569, 584;
v. Willan, 166, 248, 372, 373.
Gerard's Creek, 265; Manor, 52.
Gibbons, 129, 251, 395; Thomas,
457.
Giles (Gyles), William, 467,
471, 475.
Gillford (Gillford), Mary, 332;
William, 3, 8, 30, 295, 324,
325; *v.* Comrs. of Calvert
Co., 332.
Gill, Benjamin, 8, 90, 99, 100,
169-173, 178, 237, 238.
Gillett (Gilliard), Jarman
(German), 451, 452, 513, 515,
519, 522, 576.
Glover, Giles, 119, 168, 393; *v.*
Trew, 119, 168.
Godsrege, James, 480.
Golden Fortune, Ship, 214-216,
276, 358, 360, 362, 400, 512.
Golden Lyon, Ship, 406, 408.
Goodard, Christopher, 522.
Goodrick (Gooderick, Guter-
idge, Goodridge), Francis,
103; George, 4, 5, 40, 58-60,
69, 96, 114, 131, 133, 149, 155,
397; Timothy, 7, 34, 72, 75,
77, 78, 83, 85, 327; Ursula,
58, 59; *v.* Jolly, 34, 75, 77, 83;
v. Parker, 155; *v.* Prescott,
397; *v.* Watts, 7.
Goodwicker, Christopher, 51,
85.
Goodyear, Christopher, 64, 298.
Goosey (Gosie), Samuel, 280,
480.
Gorden, Daniel, 491, 500.
Gosse, Frances, 130.
Gott, Henry, 112; *v.* Stuard,
112.
Gottley, John (alias Dowle),
384, 398, 422, 435.
Gouding (Gooding), George,
36, 571, 588; Captain, 235; *v.*
Bradshaw, 571, 588.
Gould, Anne, 270-275; George,
409.
Goulding, John, 82, 83, 187.
Gouldsmith, George, 196, 457-
460; John, 65; Mary, 460;
Samuel, 459, 465; Thomas,
458.
Goulson (Gouldson, Golson),
Daniel, 11, 268, 280, 290, 301,
484; *v.* Gardiner, 11.
Grammer, John, 26, 146, 183,
200, 385; *v.* Bramwall, 183.
Granger, William, 486.
Graves, Samuel, 383; William,
461, 481.
Gray, Francis, 185.
Green's Point, 150, 244, 528.
*Green's Rest, 250, 251.
Greene, Elizabeth, 394, 405, 440,
441, 445, 451, 463, 481, 485,
488, 527, 578; John, 328, 391,
480; Leonard, 204; Thomas,
169, 249; William, 134, 150,
263, 394, 405, 406, 430, 432,
438, 441, 446, 463, 481, 485,
491, 503, 505, 512, 515, 525,
578; ———, 173; *v.* Gwyther,
405, 441; *v.* Metcalfe, 441; *v.*
Robinson (Roberts), 485,
488, 512, 525.
Greengoe, William, 117, 118.
Greenwell (Grinwell), Bridget,
43; James, 43, 557-566; John,
43, 44, 51, 290, 332, 341, 557-
566; *v.* Hall, 332.
Gregory, Thomas, 193, 220, 221,
275, 276; Mrs., see Cranly.
Gresham, John, 110.
Grieve, Margery, 573, 574.
Griffin, Anthony, 482, 512;
Jacob, 576; Thomas, 133, 164,
165, 194, 405, 419, 515; ———,
219; *v.* Grymes, 512.
Griffith, Thomas, 519; *v.* Car-
penter, 519.
Grimes, Daniel, 532; Richard,
397, 512; *v.* Atchison, 397;
v. Bevin, 397; *v.* Wright, 397.
Grimsditch, John, 102.
Grosse, Roger, 89, 313, 419.
Groves, Collard, 306.
Guard duty refused, 523, 524.
Gwest, Robert, 101, 137, 158,
488; Walter, 293, 333.
Gwy, Anne, 293.
Gwyther, Nicholas, 5, 19, 61,
62, 69, 86, 88, 89, 96, 128, 129,
131, 133, 137, 142, 149, 161,
177, 196, 202, 204, 217, 242,
251, 255, 256, 266, 298, 309,
339, 344, 348, 351, 356, 362,
368, 383, 397, 398, 413, 417,
437, 441, 442, 463, 464, 484,
485, 489, 490, 536, 552, 588,
594, 602; *v.* Asbiston, 129,
161; *v.* Brooks, 131; *v.*
Clocker, 398, 413; *v.* Good-
rick, 133, 149; *v.* Owen, 202;
v. Potter, 128.
Hack, George, 462, 492; Seph-
arin, 20, 492; *v.* Morgan, 462;
v. O'Maly, 462; *v.* Wright,
462.
Haddoway, Rowland, 568, 592.
Haggett, Humphrey, 482, 496-
498, 503, 505, 506, 551, 553;
v. Wade, 497, 498.
Halfhead, John, 65, 103, 179,
311, 553.
Hall, James, 95, 229, 267, 447,
521, 571, 602; John, 333, 517;
Penelope, 474, 522, 528, 603;
Sarah, 602; Walter, 43-47,
51, 72, 77, 79, 97, 152, 157,
194, 196, 221, 231, 255, 256,
259, 266, 267, 281, 285, 286,
289, 290, 294, 298, 311, 324,
327, 332, 340-343, 354, 368,
370, 394, 431, 473, 477, 483,
534, 553, 559, 561, 563, 566,
575, 590, 591, 597, 602; Wil-
liam, 447, 448, 450; *v.* Abell,
95; *v.* Hammond, 294, 311;
v. Mitchell, 45, 157; *v.* Pay-
ton, 79, 97, 152; *v.* Pille, 267,
340-343.
Hambleton (Hamilton), John,
68, 98, 103, 158, 243, 248, 265,
303, 417; *v.* Waring, 103, 158,
248, 265.
Hambrough (Hamburg?), 411.
Hammington, William, 31.
Hammond, Anne, 44, 73, 195,
256, 266, 270, 294, 311, 338,
340, 347, 348, 388, 394, 406,
437, 446, 452, 483, 494, 528,
529, 590, 591; Benjamin, 229;
John, 73, 266, 452, 475, 478,
479, 483, 487, 490, 491, 493,
494, 509, 515, 516, 519, 520,
522, 528, 529, 551, 569, 572,
580, 581, 588-591, 596, 597,
602; *v.* Cornwalleyes, 596; *v.*
Dodson, 195, 256, 270, 338,
339, 348; *v.* Lord, 528, 529;
v. Lumbrozo, 588, 590, 591;
v. Pakes, 569, 580; *v.* Stone,
596, 597; *v.* Tilney, 347, 487,
490, 491, 494, 509, 519; *v.*
Veitch, 487, 493.
Hamper, Thomas, 103.
Hampsted (Hampstead), Wil-
liam, 128, 130, 156, 184, 193,
199, 240, 241, 404, 405, 420,
438, 596, 601; *v.* Basey, 404;
v. Browne, 596, 601; *v.* Over-
zee, 184, 193, 199, 240.
Hanfield, Edmund, 467.
Hanging, 255, 259, 457, 458.
Hansford, John, 239, 488.
Hanson, Randall, 45, 101, 447.
Harbert (Herbert), Clement,
461, 468, 485; ———, 240.
Hardestie, George, 17, 585.
Hardy (Hardige), William,
388, 422.
Hare, James, 160.
Harper, Thomas, 409, 451, 452;
William, 117, 171, 172, 194,
202, 385, 395, 416, 417, 471,
508, 522; *v.* Clarke, 194, 202;
v. Smyth, 385.
Harrington, Jeremy, 439.

- Harris, Alice, 99; Elizabeth, 430-432; George, 394, 395; John, 369, 380, 384, 413, 596; Richard, 25, 26, 148, 252, 253; Samuel, 431; ———, 353; *v.* Bateman, 380, 413; *v.* Greene, 394, 395; *v.* Harper, 395.
Harris' Creek, 415.
Harrison, Joseph, 312, 351, 539.
Hart, Nicholas, 443; Samuel, 239.
Hartford, Connecticut, 472.
Harvey, Thomas, 140, 198, 235, 236, 249, 349, 406, 437.
Harwood, Edward, 154; John, 32, 39, 81, 99, 194, 195, 241; Philip, 24, 34, 35, 56, 486; Robert, 5, 9, 152, 200, 225, 493, 573, 574; Thomas, 406-408, 514; William, 129; *v.* Edwin, 32, 195, 241; *v.* Williams, 514.
Haskeynes, ———, 363.
Hassell, Richard, 495.
Hatch, Alice, 576; John, 1, 3, 9, 22, 27, 28, 62, 70, 87, 88, 123, 131, 174, 263, 292, 352, 407, 408, 427, 428, 447, 448, 469, 570, 575-577; *v.* Clark, 352.
Hatton, Elizabeth, 571; John, 449, 479, 511; Margaret, 176, 179; Thomas, 1, 3, 4, 12, 50, 69, 104, 113, 125, 149, 166, 176, 177, 199, 200, 249, 265; William, 475, 478, 503, 509, 513, 520, 532, 539, 551, 576; *v.* Abrahamson, 179.
Hawker, Thomas, 185, 218, 267, 268, 405, 418, 419; *v.* Mathews, 268, 405, 418, 419.
Hawkins, George, 386; John, 7, 67, 419, 420, 424, 442; Ralph, 320; Thomas, 22; *v.* Hutt, 420; *v.* Sheares, 442.
Hawley, William, 348.
Hay, Andrew, 387.
Hayes, Sara, 209; William, 221.
Haynes, William, 150, 229, 231.
Haywood, Ralph, 465, 484.
Hazelnuts, 26.
Head, William, 95, 153, 400, 437.
Heale, ———, 255.
Heard, William, 447-450, 478, 496, 511, 515.
Hebborne, Mary, 16, 17.
Hebden's Point, 193, 231, 281, 282.
Heigh, James, 359.
Helway, Robert, 531.
Hemslye, Judith, 436; William, 503.
Hempstead, William, 42.
Henderson, Andrew, 479; Patrick, 301, 415.
Henfield, Robert, Capt., 471, 477, 478.
Hengs, William, 396.
Henley, Robert, 571, 585, 596.
Herbert, see Harbert.
Herman, Augustine, 344, 353, 355, 356, 389-392, 403-406, 440, 441, 461, 484, 496, 509, 512, 516, 574, 579, 580; *v.* Billingsley, 392; *v.* Colclough, 403, 405, 406, 440, 441, 509, 516; *v.* Price, 403, 574, 575; *v.* Overzee, 389, 390-392, 403.
Herring Creek, 429, 430, 444, 445, 583.
Herslye, William, 436.
Hethcott, Thomas, 409, 411, 439, 440.
Hewes, see Hughes.
Heylin (Heylyn), Henry, 311, 532, 568, 587, 591, 592.
Heynes, see Haynes.
Hicks (Hix), Richard, 36, 77, 79, 152, 519, 582; *v.* Jolly, 79; *v.* Waring, 77, 152.
High, Robert, 384; *v.* Besse, 384.
Hill, Francis, 150, 522, 576, 583, 584, 602; Robert, 52, 151, 260, 278; William, 433.
Hillerd, John, 566.
Hinshman, Edmond, 5, 18.
Hinson, Anne, 271-273; Thomas, 105, 111, 113, 114, 228, 244, 258, 299, 305, 313, 321, 322, 414, 427, 428, 472; *v.* Coursey, 321.
Hobbs, John, 384, 398, 422, 435, 438, 505, 506; Richard, 240, 269, 437; *v.* Gottley, 384, 398, 427, 435; *v.* Haggett, 505, 506.
Hobson, Thomas, 337.
Hogs, 20, 21, 102, 103, 115, 125, 126, 161, 176, 182, 226, 247, 311, 403, 420, 441, 481, 522, 523, 541, 552, 600.
Holeman (Holman), Abraham, 111, 318; William, 314, 317, 318; *v.* Chapman, 317, 318.
Holland, 407.
Holliday (Halliday), John, 316, 333.
Hollingsworth, Charles, 504; John, 167, 175, 252.
Hollies (Hollis, Hallews), John, 396, 421.
Holmes, Nicholas, 491.
Holt, Anne, 213; Christian, see Bonnefield; David, 529, 591-593; Dorothy, 149, 150, 229, 230, 244, 528; Elizabeth, 577; Robert, 128, 137, 149-151, 228-230, 243, 244, 311, 410, 490, 528, 591-593; *v.* Bonnefield, 529, 592, 593.
Homewood, James, 314, 315; Thomas, 314, 315.
Hooker, William, 302.
Hooper, Amy, 445; Henry, 5, 6, 25, 31, 34, 35, 77, 80, 98, 130, 152, 179, 182, 200, 246, 465; Robert, 463, 475, 478, 481, 491, 505, 512; *v.* Greene, 463, 481, 491, 505, 512; *v.* Norton, 34, 35, 80, 152, 246.
Hopewell, Hugh, 393, 394, 579.
Hopkins, Robert, 20, 21, 303, 433; Thomas, 49, 303; William, 316; *v.* Basey, 20, 21; *v.* Morgan, 316.
Horne, John, 269.
Horses, 28, 77, 141, 148, 152, 167, 185, 194, 217-220, 227, 228, 260, 262, 263, 267, 277-279, 575-579, 582.
Hoskins, John, 412.
Hostkeys (Hotskeys, Hottkeys, Hodgkeys, Hotchkeys, Hoskeys), Edward, 19, 179, 180; Richard, 100, 141, 206, 227, 250, 340, 347, 349, 350, 414, 437, 462, 487, 494, 509, 515, 528; *v.* Fendall, 179.
Hotley, Thomas, 577.
Howe, Thomas, 325, 415.
Howell, Humphrey, 95, 125, 195, 490; Thomas, 89.
Howes (Howse), Ann, 6, 330; George, 351; William, 5, 42, 184, 232, 233.
Hoyle, Julian, 129; *v.* Stockdalle, 129.
Hubberd (Hubert), Eden, 521; Robert, 499.
Hudson, Edward, 229; Robert, 201; *v.* Baker, 201.
Huggins, Richard, 320.
Hughes (Hewes, Huse), Thomas, 382, 395, 566; William, 12, 190, 191, 199, 243, 250, 251, 310, 311, 324, 331, 339, 388, 437, 438, 471; *v.* Clarke, 199, 250; *v.* Stone, 199, 251, 324, 339, 389, 395, 437, 438.
Hull, Augustine, 63, 64.
Humphreys (Hunfrey), Christopher, 571; Robert, 574.
Hungerford, William, 455, 469, 470.
Hunley (Hundley), Robert, 87, 131, 292, 294, 449, 600.
Hunniford, ———, 50, 51.
Hunt, John, 596, 600; William, 444, 445, 457.
Hunting Creek, 581, 582.
Husbands, Richard, 260, 266, 276, 277, 302, 311; *v.* Cooke, 260, 276, 302; *v.* Edwin, 260; *v.* Pakes, 266.
Huse, see Hughes.
Hussy, Thomas, 44, 73; *v.* Hammond, 44, 73.
Hutt, Daniel, 268, 287, 288, 302, 303, 344, 351, 352, 374, 410, 411, 419, 420.
Hyatt, John, 9.
Hyde (Hide), Henry, 522, 554, 575, 576, 597; Philip, 61, 72, 73, 136, 137, 200; *v.* Gary, 61, 72, 73.
Ilines (Iline), Isaac, 106-110, 300.
Indemnity, Act of, 424.

- Indians, 82, 115, 186, 190, 191, 199, 206, 223, 224, 230-232, 254, 316, 317, 456, 471, 565; Trade with, 287, 288, 302, 303, 593, 594.
 *Innis' Choice, 412.
 Inniss (Innis), Thomas, 11, 412, 413, 442, 447, 448, 522, 553, 596, 602, 603; William, 220, 277, 327, 451, 571.
 Ireland, William, 338.
 Ireton, Thomas, 385.
 Isham, Roger, 22, 89, 120, 139, 204, 207, 226, 231, 259, 298, 341, 394, 423, 590.
 Jackson, Barnaby, 78, 103, 104, 128, 132, 134, 139, 141, 142, 165, 185, 199, 218, 251, 267, 478, 521; Francis, 421; Mary, 332; Thomas, 59, 129, 463, 464; v. Stone, 165, 197, 251.
 Jacobson, Aaron, 19, 21, 33, 35, 99, 127, 137, 158, 166, 183, 202; v. Cornelius, 35, 166; v. Johnson, 21; v. Little, 99, 158, 183, 202; v. Standley, 33.
 James, Charles, 457, 460, 463; John, 511, 516, 517, 521; Owen, 22, 30, 82, 194, 228, 305, 360, 361; Robert, 497, 498; v. Gouldsmith, 460; River, 186; Town, 246, 366, 499.
 Janson, Peter, 308, 310.
 Jaques, George, 337; Henry, 577.
 Jarboe, John, 52, 56, 64, 96, 137, 155, 195, 267, 285, 286, 298, 324, 325, 341, 342, 394, 451, 452; v. Mattocke, 96, 155; v. Ware, 126, 137.
 Jarvise, Thomas, 288, 374, 447, 448, 450.
 Jay, Temperance, 343.
 Jefferies, John, 269.
 Jenifer, Daniel, 530, 556.
 Jenkins, John, 3, 96, 115, 131, 140, 155, 397, 447-450, 470, 492, 509, 511; v. Mace, 96, 155.
 Jennings, Peter, 366.
 John's Adventure, Ketch, 410, 411, 419.
 Johnson, Abraham, 390; Albert, 20, 21, 33, 35, 166; Barbara, 20; Cornelius, 10, 32, 44, 55, 56, 66, 68, 75, 83, 98, 177, 260; Daniel, 227, 475, 487, 495, 496, 503, 570, 571, 579, 584; George, 436; James, 97, 292, 297, 298, 448, 451, 453; John, 125; William, 144, 472, 473, 538, 539; v. Gerrard, 570, 571, 584; v. Nevett, 10; v. Penny (Thickpenny), 55, 66, 75, 81, 83; v. Turner, 487, 495.
 Jouture, 261.
 Jolly, James, 12, 15, 34, 48, 56, 75, 77-79, 83, 232, 233, 467, 471, 529, 570, 585; v. Little, 529.
 Jones (Joanes), Avis, 194; Christopher, 50, 57, 71, 84, 310, 515; Owen, 387; Rice, 7; Robert, 116, 305, 507, 522; v. Tickner, 57.
 Jordan, Thomas, 8, 31, 36, 79, 80, 194, 596; v. Brandson, 8; v. Gillford, 8; v. Joley, 79.
 Joy, Martha, 301; Peter, 72, 77, 81, 268, 289, 301, 382, 384, 471, 484; v. Nevill, 382.
 Joyce, John, 344.
 Joyner, Robert, 430, 431, 438, 452, 522.
 Jury, 5, 73, 75, 77, 150, 155, 174, 204, 207, 221, 228, 231, 243, 245, 289, 292, 327, 342-344, 382, 415, 417, 430, 432, 438, 448, 451, 453, 475, 478, 503, 513, 515, 522, 539, 551, 553, 555; Grand, 309, 310, 419, 420, 424, 427, 429, 430, 432, 447, 457, 471, 522; of Women, 20; Coroner's, see Coroner.
 Justices of the Peace, Appointment of, 87-89; Oath of, 89.
 Kadmore, Richard, 507, 519; v. Steeres, 519.
 Kane, John, 114, 115, 138.
 Kecoughtan, 261.
 Kedger (Kadger, Cager, Caigner), Robert, 133, 194, 199, 213-217, 221, 243, 344, 354, 364, 396, 421, 455, 468-470, 488, 513, 518, 532, 554, 555, 569, 576, 584, 596, 597, 607; Thomas, 33, 196, 198, 235, 243, 467; v. Accworth, 596, 601; v. Barriffe, 33; v. Black, 513, 518, 532, 554-556; v. Hall, 196; v. Hyde, 597; v. Packer, 133; v. Taylor, 396, 421; v. Tilghman, 199, 216.
 Keene (Keine), Edward, 24; Henry, 26, 35, 146, 150, 166, 174, 384; v. Estate of Little, 26; v. Waring, 383.
 Keiling, Thomas, 500.
 Keister, Samuel, 185.
 Keitting, Audrey, 445; Nicholas, 409, 439, 440, 445; v. Hethcott, 409, 439.
 Kempe (Kemp), Matthew, 592; Peter, 452; Thomas, 193, 240; William, 7.
 Kenly, Robert, 399, 417.
 Kennedy (Kennede, Canada), Cornelius, 184, 202, 296; William, 64, 185, 219, 423, 496, 503.
 Kennis, Thomas, 39.
 Kent, Henry, 573; Tomazin, 573, 574; William, 139, 163; Isle of, 106, 113, 298, 300, 314.
 Kent County, 62, 86, 89, 104, 105, 109, 127, 168, 182, 202, 257, 299, 300, 313-315, 319, 344, 397, 419, 422, 435, 482, 496, 509, 512, 567, 568; Boundedaries, 322.
 Kerke (Kirke), Martin, 39, 91, 93, 94, 122, 133, 181-183, 193, 196, 251, 260, 279, 395, 399, 405; Mary, 122, 133, 182, 395; v. Bayley, 399; v. Gwyther, 183, 251.
 Ketherton, Michael, 200.
 Keylway, Robert, 543, 545, 548.
 Keytin, Nicholas, 101, 129, 132, 137, 158, 161, 182, 196, 218, 221, 267; v. Bisco, 129, 161; v. Gwest, 101, 137, 158; v. Kirk, 196.
 Kidson, William, 575, 576.
 Killborne, Francis, 495.
 King, Thomas, 215.
 King David, Ship, 36.
 Kingsborough (Kingsberry, Kinsborne, Kingsbury), Robert, 29, 30, 56, 57, 73, 83, 167, 326, 375, 380, 385, 433, 471, 484, 496, 503, 539, 541; v. Collett, 496; v. Gwyther, 484.
 Klencke, Conrad, 237.
 Knaggs, William, 399, 417; v. Kenly, 399.
 Knap, John, 184, 267, 280, 296, 301, 302, 324, 325; v. Armstrong, 301.
 Knowles, Guy, 408, 456.
 Lacy, Francis, 416.
 Lake, Catherine, 385.
 Lambert, Thomas, 499.
 Land, Ann, 394, 594; Philip, 30, 38, 40-43, 47, 48, 57, 61, 71, 72, 75-77, 83, 85, 99, 100, 101, 120, 123, 127, 130, 131, 147, 149, 165, 174, 177, 182, 197, 210, 211, 244, 245, 294, 311, 325, 390, 399, 594; William, 311; v. Bale, 42; v. Chandler, 182; v. Marshall, 42, 76; v. Moffett, 42; v. Overzee, 42; v. Sheale, 42, 71; v. Smith, 43, 123, 165; v. Steeves (Stephens), 123, 177.
 Langford, Cecil, 534; John, 534, 543, 545, 547, 548.
 Langford's Creek, 181, 182.
 Langworth, James, 43, 51, 62, 64, 81, 88, 96, 134, 169, 174, 178, 197, 221, 231, 244, 259, 340, 363, 367, 379, 430-432, 473, 495, 559-561, 563-565; v. Clarke, 259; v. Smith, 96, 134.
 Lanstowne, Nicholas, 477.
 Laremore, Alexander or Andrew, 130, 167, 174, 252.
 Larkin, John, 295, 296, 322.
 Lawrell, William, 24.
 Lawrence, William, 448, 451, 488.
 Lawson, Dorcas, 20; John, 3, 4, 9, 12, 20, 33, 70, 423, 468, 469, 508, 513, 588, 589; v. Es-

- tate of Lewis, 4, 70; *v.* Smith, 33.
- LeCompte, Antony, 61, 354; *v.* Ashcombe, 354.
- Lee, Elizabeth, 23; Hannah, 422, 512, 532, 537, 569; Hugh, 398, 399, 456, 462, 467, 468, 512, 520, 537; James, 134, 153, 197, 204, 207; John, 288; Richard, 366, 367; Mr., 269; *v.* Atchison, 532, 537, 538.
- Leech, Capt., 272.
- Leedes, William, 106, 273, 313, 419, 512, 525.
- Lees, Edward, 549, 571, 572, 574.
- LeFevre (LePheybour), Peter, 61, 138.
- Leister, Samuel, 326.
- Leonard's Creek, 243.
- Leopard, Ship, 387, 388.
- Letchworth (Leitchworth), Thomas, 23, 174, 268, 486, 581.
- Letters, Opening, 573, 574.
- Lewger, John, 42, 44, 76, 83, 84, 125, 325, 417, 475, 478; Martha, 341.
- Lewis, William, 4, 5, 58-60, 69, 70, 96, 114, 131, 133, 149, 198, 230, 231, 265, 297, 305, 333, 368, 398; Widow, 172.
- Limitations, Statute of, 220.
- Linsey (Lindsey), Edmond, 12, 50, 97, 115, 201, 204, 207, 231, 292, 344, 357; James, 50, 64, 72, 77, 79, 83, 84, 87, 95, 96, 133, 154, 166, 174, 193, 201, 221, 226, 231, 244, 248, 253, 254, 265, 300, 354, 372, 373, 392, 393, 487; *v.* Marshagioy, 50; *v.* True, 392; *v.* Watson, 50.
- Lintall, Joseph, 567.
- Liquor, Price of, 138.
- Lisseon, Daniel, 387.
- Little, Basil, 6, 7, 22-26, 80; John, 19, 20, 127, 137, 158, 183, 202, 529, 569, 570, 580, 581, 582; *v.* Dickson, 569, 570, 580-582; *v.* Jacobson, 127, 137, 158, 183, 202; *v.* Jolly, 529.
- *Little Bretton (Brittaine), 531.
- Littleworth, Hannah, 190, 191.
- Lloyd, Edward, 1, 62, 192, 228, 234, 240, 248, 249, 256, 257, 270, 274, 275, 289, 299, 300, 314, 315, 319, 320, 326, 332, 333, 339, 424, 425, 433, 434, 444, 456, 458, 466, 484, 486, 521, 573; John, 116, 117, 120; Margaret, 116, 120; Richard, 29, 419, 447, 451, 452, 538, 552, 554, 575, 588, 589; Robert, 343, 344; William, 601.
- Lodmore, John, 350.
- Lomax, Thomas, 28, 140, 344, 354, 447, 448, 450, 511, 578.
- London, England, 36, 62, 79, 132, 214, 237, 265, 269, 302, 304, 306, 355, 359, 360, 380, 400, 406-408, 426, 437, 459, 461, 495, 512, 519, 533, 534, 538, 542, 545, 548, 549.
- London, John, 364; *v.* Reade, 364.
- Long, Thomas, 200, 221, 350.
- Longworth's Point, 52, 53.
- Lord, John, 3, 61, 97, 127, 141, 160, 371, 372, 471, 472, 528, 529; Richard, 579, 580; *v.* Gerard, 61; *v.* Stone, 127, 160; *v.* Teunis, 31.
- *Lord's Gift, 529.
- Love, Judith, 477; William, 359.
- Lovely, Deliverance, 313, 432, 438; Elizabeth, 271-274.
- Lowry, William, 570, 585, 600.
- Loyle, William, 415.
- Lucas (Lewcas), William, 62, 100, 101, 132, 150, 164, 198, 253, 312, 447, 490, 513; *v.* Brooke Adminr., 198.
- Ludford (Lumford), Arthur, 101, 103, 130, 156, 419; *v.* Stephens, 103.
- Lumbard, Francis, 113, 114.
- Lumbrozo, Jacob, 2, 3, 10, 30, 70, 82, 98, 99, 127-129, 151, 179, 184, 203, 389, 405, 441, 467, 513, 519, 567, 570, 571, 578, 589-591, 601; *v.* Abraham, 99, 179; *v.* Brooks, 184; *v.* Cockerell, 2; *v.* Ewen, 127, 129; *v.* Ferreira, 98, 128, 151, 152; *v.* Galloway, 83; *v.* Gillford, 3, 30; *v.* Harwood, 129; *v.* Hammond, 567, 570, 578, 589, 591; *v.* Jolly, 467; *v.* Pakes, 513, 519.
- Lurkey, Nicholas, 252.
- Lyne, George, 307, 310.
- Lynn Haven, 235, 236, 240, 241.
- MacCart, John, 182.
- McCormack, Cornelius, 264, 563.
- Macdoell, William, 44.
- Mace, Clodoneus (Clovis), 52, 53, 136, 155, 193, 198, 250.
- Mackall, George, 344, 354, 364, 448, 451, 453, 454, 471, 496, 503, 509, 520, 532, 539, 555, 588.
- Mackane, Richett, 476-478.
- Mackey (Makey, Mackay, Macky, Mickay), John, 196, 223, 224; Robert, 6, 26, 184, 277, 570; *v.* Osborne, 184.
- McKinney (MacKenny, Makinney), John, 260, 291.
- Macklin (Macklane, Macklyn), Margaret, 569; Robert, 3, 4, 97, 98, 276, 310, 430, 432, 438, 461, 475, 509, 553, 569, 571, 576, 580; *v.* Pollard, 571; *v.* Estate of Walter, 3; *v.* Williams, 509.
- Maddokes (Mattox, Mattoche), Ann, 13, 34; Rice, Richard, 13, 96, 155, 367, 472.
- Magruder (Macgruder), Alexander, 150, 585.
- Malefeasance in office, 77.
- Manadose (Manathos, Manhattan), 7, 20, 21, 162, 271, 273, 411, 443.
- Manfield, James, 369.
- Manning, John, 323; Richard, 323; Thomas, 289, 323, 353, 354, 365, 421, 422, 425, 453, 482, 486, 494, 516, 520, 526, 530, 539, 551, 571-575, 578, 585, 586, 598; *v.* Cole, 365.
- Manokin River, 593, 594.
- Manor, 464, 534; Lord of, 263.
- Manship, Arthur, 303.
- Manslaughter, 190.
- Maphey, Robert, 287.
- Marcake, John, 452.
- Maria, Ship, 306.
- Maris, Thomas, 182.
- Marke, John, 491.
- Markeyne, Thomas, 81; *v.* Chaplan, 81.
- Markham, John, 594.
- Marriage, 456.
- Marsh, Mrs. Sarah, 3, 369, 422, 491, 496, 505; Thomas, 5, 19, 82, 113, 114; *v.* Eltonhead, 3; *v.* Gwyther, 5, 19.
- Marshagioy, Benedict, 50, 441; Margaret, 431, 432.
- Marshall, George, 578; William, 26-28, 42, 64, 76, 92, 123, 132, 165, 176.
- Mathews, Hester, 185, 218, 267, 347, 473; Hope, 489; Thomas, 54, 88, 139, 148, 184, 185, 217-221, 226, 228, 230-232, 259, 263, 264, 267, 268, 277-279, 310, 323, 346, 347, 405, 418, 430, 432, 489, 569, 582, 588, 589; *v.* Mitchell, 148.
- Martin (Martine, Martyn), Abdalla (Abdelon), 44, 65, 66, 68; Ellionor, 132, 134, 137, 164, 177, 409, 420, 467, 481, 499, 513, 518, 521, 529; Francis, 514, 518; James, 452; Joseph, 555; Loadwick, 514, 518, 529; Patience, 409, 455, 467, 481, 499, 513, 521; Robert, 112; Thomas, 385; William, 389, 398, 409, 420, 518; *v.* Clocker, 409; *v.* Cranly, 132; *v.* Greene, 134; *v.* Gwyther, 177; *v.* Martin, 467, 481, 499, 513, 514, 518, 521.
- Mastvick, John, 267, 409, 438; *v.* Russell, 438.
- Mattapanian (Mattapany, Mattapanient), 232, 233, 277, 343, 477, 529, 533.
- Maunder, Wilkes, 255.

- Maunsell, John, 102, 128, 160, 345.
 Mayflower, Bark, 287, 288, 303, 374.
 Maynard, Charles, 5, 99, 158, 159, 195, 260, 452; *v.* Gerard, 99, 158, 260; *v.* Hall, 51.
 Meares (Meeres), John, 385; Thomas, 314, 317, 419.
 Mecray, Macum (McCrae, Malcolm), 436.
 Medical Attention, 9, 22, 54, 71, 81, 102, 161, 272, 352, 503; Man, 92, 263, 284, 359, 492.
 Medley (Meadly), John, 64, 125, 126, 131, 298, 394, 525, 539, 570.
 Meese (Mee), George, 97, 253; Henry, 22-25, 50, 62, 65, 80, 94, 95, 119, 125, 179, 192, 207, 228, 238, 285, 371, 389, 396, 404-406, 440, 459, 460, 595; *v.* Bents, 253; *v.* Colclough, 404, 405; *v.* Delahay, 119; *v.* Harwood, 24; *v.* Lindsey, 97.
 Metcalf, Jeremiah, 409; John, 101, 122, 129, 138, 142, 161, 185, 207, 349, 409, 439-442, 468, 588.
 Meyor, Peter, 457.
 Micheels (Michelle; Micheelson), Jacob, 388, 442, 461, 568, 578.
 Milam, John, 206, 207.
 Miles, Thomas, 320, 321; Tobias, 573, 574.
 Milligan, Patrick, 5.
 Mills (Mill, Miles), Peter, 298, 394, 406, 458, 513, 580, 589; William, 29, 57, 174, 219, 324, 327, 329, 345, 415, 416, 448, 451, 453, 454, 475, 601; *v.* Hammond, 406; *v.* Tickner, 57.
 Mitchell, Henry, 336-338; Thomas, 247, 248, 288, 335, 336, 362, 397; William, 1, 2, 10, 11, 18, 19, 21, 45, 77, 81, 84-86, 134, 137, 148, 157, 165, 195, 198, 226-228, 233, 247, 248, 277, 281, 282, 301, 335, 336, 340, 372, 397, 528; *v.* Boreman, 198; *v.* Cornwallis, 2; *v.* Gerrard, 1, 10, 18, 21, 22, 81; *v.* Inniss, 11; *v.* Mitchell, 335; *v.* Phillips, 10.
 Mochar, John, 216.
 Moffett, William, 42.
 Molden, Grace, 336-338.
 Moore (More), Henry, 191, 292, 468, 471; Richard, 10, 14, 158, 248, 345, 417; Roger, 417; *v.* Fendall, 468, 471.
 Morgan, Abraham, 462, 492; Henry, 89, 105, 109, 110, 113, 129; Owen, 316; Philip, 26, 34, 89, 150, 323, 339.
 Morison (Moryson, Morssam), John, 184; Richard, 480; Robert, 261.
 Morley, William, 570, 587.
 Moron, William, 571.
 Morris (Moore, Mores), John, 294, 343, 447, 448; Nicholas, 182, 255, 365, 439; Richard, 271, 354, 447, 448, 450; Robert, 22-25, 214, 389, 427, 433; *v.* Bagbey, 25; *v.* Bussey, 24; *v.* Cox, 23; *v.* Grammer, 26; *v.* Hooper, 25; *v.* Hopkins, 433; *v.* Keene, 24; *v.* Morgan, 26; *v.* Murrell, 182, 255, 439; *v.* Pott, 24; *v.* Reede, 25; *v.* Sutton, 23; *v.* Tayler, 25; *v.* Turner, 25; *v.* Wright, 25; ———, 2.
 Mosse, Richard, 295.
 Mountjoy, James, 306, 310.
 Mugg (Mogge), Francis, 195, 446, 514.
 Mullekin, James, 34, 69, 84, 98, 150, 156; *v.* Coursey, 34, 69, 98, 151, 156; *v.* Harris, 84.
 Murder, 385, 430, 467.
 Murfee, Morris, 554, 588, 591; *v.* Troope, 554, 588, 591.
 Murrell, Gregory, 182, 365, 439; Jeremiah, 354; *v.* Overzee, 365.
 Muskrat skins, 535, 536.
 Myles, Arthur, 63.
 Nadey, Thomas, 67.
 Nanfan, Edmund, 223, 224, 267, 281, 282, 347; Simphorosa, 513.
 Nanfernick Creek, 539.
 Nanjemoy (Nanjemy, Nan-gemy), 50-52, 84, 153-155, 198, 230, 231, 297.
 Napkin, Anne, 337.
 Naughtnongis (Indian), 87, 191.
 Neale (Neill), Ann, 238; Dorothy, 238; Henry, 527; Hugh, 447-450, 481, 511; James, 173, 178, 185, 197, 237-239, 481, 508, 509, 525, 526, 530-532, 535, 550, 564, 575-578, 597; *v.* Atcheson, 535; *v.* Cole, 509; *v.* Lindsey, 487; *v.* Thompson, 526, 527, 530.
 Nedham, Henry, 311, 312.
 Negroes, 186-188, 190, 204-206, 234-236, 262, 269, 434, 499, 580, 587.
 Negroes' Nest Neck, 487.
 Nelson, Bridget, 456, 457.
 Nevett, Richard, 10, 125, 261, 340.
 Nevett's Creek, 557, 563.
 Nevill (Newell), Anne, 268, 296, 467, 471, 475, 478-480; John, 129, 139, 165, 201, 228, 232, 382, 479, 480, 539, 567, 588; *v.* Pheypo, 232.
 New England, 303, 354, 355, 395, 420, 423, 472, 525, 603.
 Newman, George, 65; Hugh, 495.
 Newport, R. I., 410, 411.
 Newtown, 28, 43, 46, 50, 56, 62, 101, 126, 144, 242, 256, 266, 277, 290, 340, 342, 343, 370, 476, 483, 522, 538, 552-554, 575, 583.
 Nicholls, Hester, 515, 516; John, 50, 123, 149, 150, 310, 488, 490, 509, 513, 515, 538; *v.* Nuttall, 509, 515, 516.
 Nobs, Thomas, 330.
 Nonsuit, 11, 34, 81, 111, 141, 155, 158, 161, 165, 176, 177, 220, 241, 248, 251, 255, 257, 335, 354, 358, 366, 369-372, 384, 421, 453, 471, 493, 519, 520, 578, 583, 584, 587, 588, 599, 600.
 Norman, Agnes, 53, 183; John, 52, 53, 102, 183.
 Norton, Elizabeth, 14-17; John, 14-18; Tobias, 5, 6, 19, 20, 34, 35, 80, 127, 150, 152, 228, 246, 480; *v.* Jacobson, 19.
 Norwood, John, 62, 86, 290, 300, 301, 320, 344.
 Notley, Thomas, 571.
 Nugent, Robert, 177; William, 193, 226, 300.
 Nutt, ———, 80.
 Nuttall (Nuttwell, Nuttwall), John, 509, 512, 516, 532, 551, 567, 583, 597, 604; *v.* Price's Adminr., 583.
 *Oakington, 460.
 Oath of Clerk of Provincial Court, 379; Councillor, 377, 493; fidelity, see also Quakers, 296, 313-315, 317, 320, 321; Governor, 375, 493; Secretary, 378; witness refused, 280.
 Obder, John, 49, 56, 72, 84, 151, 289; *v.* Pott, 56.
 Officers refusing commissions, Penalty for, 180, 418.
 O'Maly, Bryan, 462.
 Ordinary License, 47, 48, 398, 412, 442.
 Orley, Thomas, 181.
 Orphans, 13, 112, 158, 248, 295, 334-337, 345, 370, 383, 391, 417, 447, 456, 485, 486, 488, 520, 527, 558, 584, 599.
 Osberstone, William, see Ashbiston.
 Osborne, Henry, 6, 24, 26, 184, 331; *v.* Morris, 24.
 Oulsnam, John, 550, 572.
 Outlawry, 150.
 Overzee, Elizabeth, see Colclough, 389-392, 403-405; Simon, 30, 31, 38, 39, 41, 42, 48, 51, 52, 68, 69, 71, 72, 75-77, 88, 89, 101, 114, 130-132, 140, 147, 158, 174, 175, 184, 186, 190, 191, 198, 199, 201, 204, 205, 207-211, 213, 222, 230-232, 235, 236, 240, 241, 244, 245-247, 252-254, 261, 267,

- 281, 282, 284, 285, 289, 300, 312, 323, 327, 334, 335, 365, 366, 389, 403-405, 410, 425, 440, 441, 461, 485, 491, 499, 500; Mrs., 209-211, 236, 327, 335; *v.* Abrahah, 158, 246; *v.* Allen, 232; *v.* Cole, 260; *v.* Cornwaleys, 244, 267; *v.* Cornelius, 38, 68; *v.* Eltonhead, 48, 71, 174, 252, 253; *v.* Foster, 38; *v.* Land, 38; *v.* Lewis, 230; *v.* Lindsey, 201, 253, 300; *v.* Peake, 30; *v.* Thomas, 68; *v.* Watson, 39; *v.* Williams, 323, 334.
Owens, Richard, 259, 270-275.
Oyster Creek, 94.
- Packer, Edward, 64, 93-95, 125, 131, 133, 149, 185, 189, 215, 223, 224, 303, 311, 412; Elizabeth, 509, 538; *v.* Husbands, 311.
Page, John, 548, 549.
Pagett, Thomas, 480.
Pakes (Pake, Peake), George, 2, 136, 150, 182, 200, 304, 334, 335, 419; Walter, 30, 31, 72, 75, 76, 82, 122, 125, 132, 167, 228, 266, 285, 349, 382, 388, 394, 396, 417, 419, 421, 437, 441, 447, 451-454, 490, 503, 513, 519, 528, 563, 569, 580, 590, 591; *v.* Clark, 388; *v.* Hammond, 388, 394, 452, 453; *v.* Hughes, 382, 441; *v.* Simpson, 31; *v.* Veitch, 396, 421; *v.* Waring, 396.
Palldin (Pauldin), Jane, 14-18, 382, 432.
Palmer, Samuel, 182; William, 150, 385, 448, 451, 453, 471, 522, 553, 554.
Pamunkey, 287, 288.
Pangayo Indians, 206.
Parker, Edward, 604; John, 237; Peter, 108; Samuel, 4, 39, 96, 141, 155, 163, 164; William, 336, 361, 402, 403, 511, 517, 518, 521, 522; *v.* Estate of Lewis, 4, 96; *v.* Mitchell, 336.
Parks (Parkes), Edward, 3, 87, 94, 95, 138, 139, 204, 207, 292; —, 9; *v.* Batchelor, 9; *v.* Jenkins, 3.
Parnell, Henry, 92-96, 154, 185, 204, 239; *v.* Cornelius, 185.
Parratt (Parrott), William, 1, 9, 12, 22, 29, 30, 77, 135, 268, 289, 296, 572, 598; *v.* Belcher's Estate, 572; *v.* Brasse, 268, 296; *v.* Tully, 29.
Parre, John, 136, 334, 335; Robert, 135, 136, 334, 335.
Pascatoway, Emperor of, 115; River, 287.
Pass from Province, 158.
Passengers on Sloop, Accommodations for, 240.
- Patapsco River, 592.
Patrickson (Patterson), Robert, 35, 324, 329, 345, 415, 416.
Patuxent, 1, 28-30, 36, 57, 61, 72, 75, 76, 81, 82, 84, 85, 99, 100, 123, 136, 137, 144, 148, 168, 196, 199, 220, 232, 241, 268, 269, 303, 305, 311, 325, 328, 329, 345, 348, 358, 375, 380, 390, 393, 394, 400-402, 406, 408, 413, 415, 417, 433, 472, 484, 486, 512, 519, 528, 529.
Pauper, 295, 332, 500.
Payne, Thomas, 262, 267, 287.
Payton (Peyton), Henry, 79, 97, 152, 349; Robert, 437, 520; Valentine, 64, 487, 595; *v.* Reynolds, 595; *v.* Robinson, 487.
Pearce, James, 369; Margaret, 293.
Pearson, Thomas, 360, 361.
Peck, Charles, 400-402.
Peere, Henry, 447, 448, 450, 496.
Pendleton, Thomas, 44, 65; *v.* Waring, 44, 65.
Penney, Henry, see Thickpenny.
Pennington, Henry, 445, 507, 515; Rachel, 445; *v.* Greene, 445.
Peon, James, 539; *v.* Evans, 539.
Perkisse, Robert, 138.
Persimmon Pond, 94.
Pettus, Thomas, 499.
Phelps, Cuthbert, 61, 182.
Pheypo, Marks, 94, 122, 128, 129, 132, 134, 179, 198, 218, 221, 239, 251, 253, 267, 325, 344, 356, 405, 440, 446, 478, 488, 512, 523, 524, 527, 571, 576, 587, 588; *v.* Brooks, 198; *v.* Greene, 527; *v.* Land, 325; *v.* Smoote, 128, 179, 512, 571, 587, 588.
Phillips, Bartholomew, 52, 53, 81, 226, 452; Thomas, 10, 81, 101, 148, 298, 340; William, 77; *v.* Mitchell, 81.
Phillpott, Edmond, 18, 21, 22, 186, 191, 193; Thomas, 397; *v.* Bannister, 397.
Pickard (Picckar), Nicholas, 112, 419, 525.
Pierce, John, 424; William, 477, 478.
Pikaowaxen, 39, 294, 364, 578, 580.
Pille (Pile, Piles), Anne, 264; John, 260, 263, 264, 267, 289, 290, 340-343, 394, 422, 556-566; Joseph, 264; Mary, 264; Sara, 264; Mrs. —, 340, 341, 565; *v.* Hall, 290.
Pindley, William, 464.
Pinson, Edmund, 571, 579, 580.
Piny Point, 130.
Piper, John, 26, 27, 292.
Piracy, 306.
- Pitcher, Thomas, 91.
Plott, Thomas, 34.
Plum Point, 334.
Pollard, John, 553, 571, 597.
Poole, Thomas, 326.
Pope (Poop), Anne, 480; Francis, 497, 567; Henry, 70; Nathaniel, 237, 238, 265, 453, 454, 481, 482, 508, 533.
*Poplar Hill, 297, 359, 498.
*Pork Hall, 265, 533, 544.
Port Duties, 346.
Port Tobacco (Portoback), 58, 59, 82, 169, 170, 182, 186, 207, 212, 230, 234, 235, 254, 261, 368, 449, 499, 500, 580; Creek, 51, 54, 205; Queen of, 471.
Portugal, 306.
Posey, Francis, 46, 100.
Potomac River, 87, 93, 223, 236, 287, 288, 365, 386, 390, 400, 462, 512, 580.
Pott (Potts), John, 6, 24, 49, 56, 77, 80, 159, 161, 184, 369; Thomas, 344.
Potter, Adrige, 527; Elizabeth, 157, 181, 356, 357, 394; Henry, 93, 94, 122, 123, 128, 159, 181, 196, 257, 259, 324, 325, 394, 442, 485, 488, 527; William, 449, 511; *v.* Thomas, 257, 259.
Pouett, Thomas, 382, 457.
Powell, John, 387; Thomas, 382, 457.
Prator, Jonathan, 184, 202, 389; *v.* Kennedy, 184, 202.
Prescott, Edward, 297, 312, 327-329, 344, 355, 356, 363, 397, 411.
Preston, Richard, 1, 3, 9, 12-15, 22, 30, 37, 62, 66, 80, 106, 180, 203, 249, 295, 300, 326, 329, 415, 416, 508; *v.* Clawson, 13, 14.
Price, Anne, 520; Jenkin, 216, 217; John, 2, 12, 51, 64, 66, 116, 141, 157, 160, 177, 186, 309, 311, 344, 346, 360, 368, 396, 398, 403, 405, 406, 440, 463, 469, 481, 507, 509, 520, 532, 537, 574, 583; William, 589; *v.* Black, 398; *v.* Muse, 406; and Huse *v.* Estate of Dandy, 12.
Prince, John, 94.
Pritchard (Pritchett), John, 13, 226; Thomas, 64, 204, 460, 499; William, 226.
Proctor, Nathaniel, 475.
Prott, Job, 127.
Providence, Anne Arundel County, 1.
Providence of Bristol, Ship, 412.
Provincial Court, Attendance fees, 232; Session postponed, 127, 183, 310, 493, 506; Summoned, 201, 259, 311, 442, 486, 529, 567, 595.
Pryme, Robert, 359.

- Pryor, Thomas, 201, 254, 393, 442; *v.* Glover, 393.
Public Accounts, 470.
- Quakers, 104, 112, 114, 268, 286, 287, 291, 313, 322, 331, 333, 334, 339, 419, 420.
Quitrent, 201.
- Rachcliffe (Ratcliffe), England, 92, 214, 358, 400, 401.
Rappahannock, 7.
Rawlins, Anthony, 142, 199, 220; Nicholas, 445, 451, 491.
Rawlinson, Charles, 262.
Rawser, Anne, 370.
Raynor, Henry, 237, 238.
Read (Reede, Reade), Alice, 597; George, 78, 103, 184, 204, 207, 219, 270, 325, 326, 348, 415, 453, 448, 451, 597; John, 25, 77, 148, 152, 278, 289, 348, 364, 421, 453, 539; Thomas, 5, 379; *v.* Evans, 184; *v.* Mitchell, 77, 152; *v.* Read, 348.
Real Estate, Title to, 51, 73, 76, 84, 93-95, 105, 143, 166, 168, 181, 224, 234, 237, 242, 248, 249, 254, 255, 261, 265, 275, 285, 295-298, 315, 317-321, 325, 329, 344, 347, 348, 353, 354, 368, 372, 373, 393, 394, 398, 415, 422, 438, 439, 444, 446, 452, 453, 455, 459, 486, 488, 489, 496, 507, 509, 510, 514, 516, 529, 531, 534, 539, 540, 542-550, 557-566, 568, 571, 572, 583, 584, 595, 597, 600, 602.
Rebellion, 567; Fendall's, 414, 427-429, 447-450, 470.
Records during Fendall's Rebellion to be erased, 379.
Redfearne, Margaret, 478-480.
Relief, Ship, 29.
Religious toleration, 376, 567.
*Resurrection Manor, 296, 325, 432.
Revell, Randall (Randolph), 73, 84, 297, 298, 593, 594, 596.
Reynolds (Raynolds), George, 8, 298, 451, 532, 534, 569, 576, 583, 595; John, 250, 536.
Rhode River, 225.
Rice, Richard, 366.
Richard Bonaventure, Ship, 306.
Richardson, Elizabeth, 328; Richard, 240, 241; William, 385.
Rigby, James, 418.
Riggs, Francis, 574.
Ringe (Renge), Thomas, 64, 126.
Ringgold, Thomas, 106, 110, 111, 243, 244, 313, 319-321, 419; *v.* Wickes, 313, 319-322.
Rives (Ryves), John, 472.
Roanoke, 52, 115, 138, 199, 583.
Robbery, 199.
Roberts (Robinson), Fobby, 406, 446, 485, 488, 512, 525, 526; Margaret, 68; Stanop, 292, 522; *v.* Greene, 406, 446; *v.* Hambleton, 68.
Robins, Elizabeth, 20, 50, 51, 79, 83, 85, 134; Robert, 20, 51, 79, 83, 85, 102, 292, 579; *v.* Robins, 79, 83, 85.
Robinson (see also Roberts), Henry, 150; James, 457; Jane, 20; Josiah, 354; Thomas, 184, 534; William, 97, 115, 134, 138, 139, 165, 487, 494.
Rock, Joseph, 354-356, 364; *v.* Battin, 354-356, 364.
Rogers, Hannah, 429, 430; Theophilus, 241.
Roman Catholic Religion, 43, 144-146, 172, 173, 244, 531, 566, 567.
Rozier, 50, 390.
Runaway, 91.
Russell, Christopher, 100, 202, 293, 509, 511, 526, 596, 600; John, 113, 272; Richard, 409, 512, 515; William, 438; *v.* Hall, 100; *v.* Mastrick, 409.
Rutten, Garrett, 460; *v.* Utye, 460.
Rye, Oliver, 365.
Sadleir (Sadler), Giles, 36, 75, 77, 183, 226, 336, 380, 383, 385, 421, 437, 551, 556, 557, 570, 586, 596, 600, 601; *v.* Bateman, 380, 383; *v.* Smith, 336.
St. Andrew's, 208, 223.
St. Clement's, 21, 53, 62, 90, 121, 143, 158, 160, 186, 188, 189, 197, 226, 234, 265, 344, 389, 427, 428, 430, 432, 464, 467, 472, 480, 530, 542-545, 547, 548; Bay, 188, 423, 432, 531, 539, 557.
St. Cuthbert's Neck, 262, 263.
St. Ellen's Creek, 489.
St. Gabriel's Manor, 94.
St. George's Hundred, 119, 120, 150, 244, 323, 528; River, 147, 223, 224, 227, 236, 240, 306, 307, 533, 537, 603; Ship, 307, 308, 310, 371, 508.
St. Hierome's (Jerome's), 202, 209, 254, 285, 514, 523, 524.
St. Inigoes Creek, 217, 278, 279, 404; Hundred, 62, 323, 523.
St. John's, 205, 207, 208, 221, 222, 285, 289, 533; Creek, 265.
St. Katharine's Island, 544.
St. Lawrence, 126.
St. Leonard's, 38, 51, 52, 57, 61, 65, 71, 83, 114, 119, 123, 126, 138, 150, 182, 200, 229, 232, 268, 285, 432.
St. Margaret's Island, 463.
St. Mary's Bay, 533; County, 38-40, 42, 44-46, 48, 50-52, 57, 61, 62, 81, 86, 88, 93, 95, 96, 99-104, 114, 120, 121, 122, 126-129, 131, 132, 134, 137, 148, 150, 152, 155, 182, 188, 193, 194, 196, 198-205, 207-209, 212, 221-223, 234, 240, 255, 259, 261, 265, 266-268, 270, 289, 290, 296, 301, 303, 309, 311, 324, 325, 340, 342-344, 352, 357, 368, 370, 371, 382-384, 388, 389, 392, 394, 395-400, 403-406, 409, 410, 412, 414, 419, 430, 437, 461, 463, 465-467, 472, 476, 486-491, 499, 507-509, 512, 513, 522, 523, 528-534, 536, 538, 552-554, 556, 557, 563, 566-571, 575, 588, 595-598.
St. Mary's City, 41, 47, 48, 59, 84, 102, 116, 153, 154, 176, 201, 202, 214, 219, 226-228, 230, 233, 239, 240, 244, 264, 277-279, 309, 311, 358, 380, 395, 399, 404, 413, 422, 427, 428, 442, 453, 454, 456, 554, 663; Hundred, 62, 99, 323; River, 412, 594.
St. Michael's Hundred, 62, 93, 122, 123, 323.
St. Nicholas' Creek, 382, 415, 531.
St. Thomas, 157, 265.
St. William's Creek, 531.
St. Winifred, 423, 430, 432, 472, 473.
Salisbury, William, 359, 361, 401-403.
*Salisbury, 264.
Sallaway (see Galloway).
Sallowes, Robert, 224.
Salmon (Saloman), Nicholas, 307, 310; Peter, 451.
Salsterne, James, 478.
Salter, John, 105-108, 168, 257, 283, 298-300, 313, 319, 322; *v.* South, 105, 168, 257, 283, 298-300, 322.
Sample, William, 385.
Sampson, Thomas, 458.
Sanford (Sandford), William, 70, 154, 155, 332, 537.
Sankeh, William, 385.
*Sarum, 563.
Sassafras River, 438, 457, 458.
Savage, John, 593, 594.
Sayer, Francis, 443.
Scapes, James, 381, 520, 570, 580, 586, 600; *v.* Bateman, 381.
Scarbrough, Edmond, 3, 199, 258, 269, 279.
School, 100, 113.
Scire Facias, 96, 99, 185, 195, 199, 241, 266, 279, 291, 294, 369, 398, 406, 410, 414, 461, 482, 483, 572.
Scotcher, John, 320; Rose, 320.
Scotchmen, 276.
Scott, Edmond, 83-85, 200; Roger, 6, 137; Samuel, 311.

- Seamor (Seamer, Seymour, Semar), Lettice, 434; Thomas, 10, 11, 24, 32, 37, 72, 78, 103, 128, 137, 152, 167, 179, 220, 247; *v.* Coursey, 11; *v.* Eltonhead, 32, 78, 167; *v.* Gary, 103, 137, 179.
- Searchwell, Thomas, 596, 600.
- Sedition, 133, 144, 308, 507, 526.
- Selye (Seely), Thomas, 133, 169; William, 523, 524; *v.* Adams, 133.
- Senserfe (Senswerfe), Walter, 8, 36, 79, 336, 570, 580; *v.* Billingsley, 8; *v.* Jolly, 79.
- Servant, 2, 5-9, 11, 14, 18, 19, 21-23, 26-28, 32, 35, 67, 68, 70, 72, 77, 82, 84, 86, 103, 115, 135, 145, 152, 154, 157, 180, 181, 186, 190, 227, 230-233, 237, 246, 249, 250, 259, 262-264, 270, 302, 316, 332, 338, 339, 348, 350, 358, 361, 363, 367, 371, 386-388, 417, 418, 422, 432, 434, 435, 439, 440, 452, 456, 468-471, 476-478, 481, 482, 485, 494, 496, 497, 499, 506, 514, 515, 521, 540, 554, 569, 582, 588, 593, 599, 601, 602, 604.
- Severn, 5, 19, 66, 113, 162, 177, 180, 232, 233, 235, 283, 320, 406, 408, 521.
- Sewell (Sewall), Anne, 511; Henry, 493, 496, 509, 513, 516, 533, 541, 571, 598; John, 4, 12, 136; Prudence, 509-511; *v.* Nanfan, 513.
- Shacklady, James, 337.
- Shanks, John, 192, 195.
- Sharpe, Mary, 507; Peter, 5-7, 22, 26, 139, 161-164, 185, 258, 275, 316, 326, 573, 574, 597, 598.
- Sheale (Shell, Sheels, Shele, Shale), Bridget, 341, 490, 563; Robert, 42, 47, 64, 71, 101, 298, 341, 452, 490, 563.
- Shears (Sheeres), Abraham, 424, 442.
- Shedman, Jeremiah, 444, 445.
- Shelton, Thomas, 497.
- Sheppey, Richard, 39, 195, 198, 241, 242, 400.
- Sheriff of Anne Arundel County, Powers, 300; Appointment of, 86; Assault on, 602, 603; Fees, 285, 286, 291, 322, 336, 348, 368, 371, 383, 398, 413, 423, 526, 551; Oath of, 87; Refusal to aid, 315, 316; *v.* Ticknor, 119.
- Shareman (Shearman, Chayrman, Chareman), Edward, 40, 50, 71, 83-85, 95, 153-155, 593, 594; *v.* Boreman, 50, 71, 84, 153-155.
- Sherriden, Thomas, 20, 21, 44; *v.* Blinkhorne, 44.
- Sherwood, Hugh, 604.
- Shirtcliffe (Shirleife, Shurtliff), John, 43, 44, 64, 85, 86, 125, 194, 202, 298, 344, 447, 491, 590.
- Short, Tabitha, 112.
- Sidney, Col. John, 235, 236.
- Silver, Tankard, 80.
- Simkin, Robert, 365.
- Simme, Marmaduke, 530.
- Simpson (Simpson), Alexander, 500; Paul, 13, 22, 30, 31, 82, 102, 115, 157, 158; Thomas, 471, 530, 556, 569; *v.* Batchelor, 530, 556.
- Sinclere (Sinkler, Sinklow), John, 332, 385, 541; William, 37, 179.
- Slade, William, 320.
- Slander, see Defamation, 132, 183, 200.
- Slaves, see Negroes and Indians, 255.
- Sledd, Joshua, 2, 23; *v.* Peake, 2.
- Sleigh, James, 401, 403.
- Slingsby, John, 28.
- Slye, Robert, 85, 86, 88, 89, 94, 95, 100, 115, 158, 159, 172-174, 232, 324, 352, 355, 356, 389, 391, 427, 428, 454, 461, 551, 565, 569, 571, 578-580, 587, 596, 597, 600, 601, 603; *v.* Battin, 569, 579, 580; *v.* Fendall, 597, 601; *v.* Jolly, 232; *v.* Macklyn, 461.
- Smith, Ann, 20; Edmund, 56; Elizabeth, 303; Emperor, 33, 49, 68, 123, 134, 165, 268, 349; Goodman, 181; John, 82, 184; Matthew, 45, 103, 303, 385, 389, 477; Maurice, 9, 95, 117, 118, 120; Richard, 1, 19, 23, 32-34, 36, 39, 49, 62, 80, 162, 183, 224, 251, 283, 285, 287, 292, 293, 301, 305, 336, 363, 369, 370, 385-388, 417, 418, 421, 422, 496, 503, 514, 566, 568, 570, 580, 600; Robert, 129, 592; Rose, 129, 157, 161, 181; Samuel, 578-580, 586, 587, 596, 597, 600, 601; Thomas, 597; Walter, 185, 249, 314; William, 209; *v.* Atchison, 349; *v.* Battin, 369, 370, 385-388; *v.* Brooks, 34; *v.* Cockerel, 1, 32; *v.* Dorington, 285; *v.* Eltonhead, 33; *v.* Haddaway, 568, 592; *v.* Hopkins, 49; *v.* Obder, 49; *v.* Pott, 49, 80; *v.* Smith, 49; *v.* Standley, 33; *v.* Sudward, 314; *v.* Veitch, 49.
- *Smith's Joy, 285.
- Smithson, John, 154.
- Smithstown, 460, 463.
- Smoot, Richard, 343; William, 128, 179, 344, 362, 447, 448, 450, 512, 571, 587, 588.
- Snow, Abel, 265, 373, 531-534, 540, 542-550, 567, 571, 572, 595, 596; Edith, 531, 532, 542, 548-550, 572, 595; Marmaduke, 506, 507, 525, 527, 530-534, 542-550, 567, 571, 572, 595, 596; Walter, 549, 571, 572; *v.* Gerard, 506, 507, 525, 527, 530-534, 542-550, 567, 571, 572, 595, 596.
- *Snow Hill Manor, 166, 248, 265, 372, 373, 522, 523, 528, 534, 547, 548.
- Snowks, Thomas, 313.
- South, Thomas, 105, 106, 109, 111, 168, 243, 244, 257, 283, 298-300, 313, 318, 319, 322, 472.
- Southerly, William, 522.
- Southern, Thomas, 435, 436, 501, 502, 504; *v.* Bradnox, 435.
- Sparks, ———, 9; William, 573.
- Speake, Thomas, 8, 477, 478, 511, 595; *v.* Reynolds, 8, 595.
- Speedwell, Barque, 442.
- Spencer, Nicholas, 355, 356, 359, 361.
- *Spesutia, 456, 460, 529.
- Spinke, Henry, 344, 400, 423, 551.
- Sprigge, Thomas, 55, 89, 196, 198, 200, 219-221, 486, 596.
- Stack, Robert, 522, 523, 594.
- Stagwell (Stagewell, Stegall), Thomas, 5, 11, 34, 135, 136; *v.* Morgin, 34; *v.* Thompson, 34; *v.* True, 11.
- Standish, John, 156, 157.
- Standley (Stanley), Hugh, 31, 33, 155, 159, 174, 182, 184, 200, 204, 207, 219, 220, 228, 233, 268, 296, 301, 302, 330, 354, 358, 416, 419, 479-481, 486, 551, 556, 569, 570, 585, 586, 595, 596, 599, 600, 601; *v.* Bentley, 596, 600, 601; *v.* Burdett, 570, 585, 586, 599; *v.* Pott, 159, 184; *v.* Scapes's Estate, 586; *v.* Senserfe, 570; *v.* Sheriff of St. Mary's, 595; *v.* Smith, 600; *v.* Tilghman, 358; *v.* Trueman, 599.
- Stanford, Richard, 292.
- Starchy (Starkey), Lawrence, 54, 125, 197, 217-219, 277, 278, 582, 583.
- Stavelay, Adam, 7, 67, 139, 161-164; Hugh, 127; *v.* Sharpe, 139.
- Steelpone Creek, 460.
- Steeres, Thomas, 507, 512, 519; *v.* Coleman, 512.
- Stenwick, Cornelius, 579, 580, 587.
- Stephens (Stevens), John, 103, 132, 164, 360, 361, 423, 512; Richard, 429, 430.
- Stephenson (Stephens, Stevens), Elizabeth, 305; William, 50, 64, 70, 98, 123, 126, 151, 179, 283, 284, 483.

- Stewart, John, 318.
 Stockett, Francis, 456, 457;
 Henry, 457, 530; Thomas,
 457.
 Stockley, Woodman, 5, 6, 9, 12,
 62, 65, 77.
 Stogdale (Stockdalle, Stock-
 dell), Frances, 445, 450, 451;
 William, 56, 129, 307, 309.
 Stone, Matthew, 125, 127, 151,
 160, 190, 191, 227, 310, 324,
 331, 395, 604; Richard, 185,
 507; Thomas, 22, 31, 33, 185,
 388, 398, 425, 426, 430, 432,
 434, 435, 437, 438, 453, 497,
 507, 579, 596, 597, 603; Ver-
 linda, 389, 453; William, 1, 4,
 22, 33, 39, 50-52, 66, 81, 99,
 106-108, 110, 120, 126, 132-
 134, 137, 139, 142, 149, 157,
 160, 165, 176, 177, 179, 187,
 188, 195, 196, 198, 199, 204,
 217, 219, 228, 234, 239-241,
 247, 248, 251, 253, 256, 258,
 260, 277, 278, 283, 287, 308,
 309, 312, 324, 326, 331, 332,
 339, 389, 393, 394, 395, 425,
 426, 437, 438, 452-454, 488,
 596, 603; *v.* Barbarah, 22; *v.*
 Boreman, 51, 198, 247; *v.*
 Bishop, 126, 137; *v.* Calvert,
 597, 603; *v.* Cornelius, 33; *v.*
 Claxston, 39, 257; *v.* Har-
 wood, 39, 81, 99; *v.* Kirke,
 39; *v.* Estate of Lewis, 4; *v.*
 Mitchell, 134, 165; *v.* Phillips,
 52, 81; *v.* Renge, 126; *v.*
 Stevenson, 126, 179; *v.*
 Shanks, 195; *v.* Weston, 239.
 Story, Ralph, 427.
 Stratton, John, 241; Lucie, 291-
 294; *v.* Turner, 291-294.
 Streeter, Edward, 126, 142; *v.*
 Brooks, 126, 142.
 Stringer, John, 123, 125.
 Strong, Leonard, 300.
 Stuart, Charles, 112.
 Styles, Robert, 543; William,
 47, 193, 198, 298, 340, 399,
 417, 422; *v.* Pile, 422.
 Sudborough, Richard, 301.
 Sudward, James, 314, 318.
 Sullock, Richard, 344.
 Supersedeas, 520.
 Survey of land, see Real Estate,
 142.
 Susannah, Barque, 390, 600.
 Sutton, John, 23, 541; Thomas,
 549, 550, 572; Valerius, 543.
 Swallow, Barque, 403.
 Swan, Edward, 27; Thomas,
 332.
 Swanley, Capt., 217.
 Swearing, Profane, 35.
 Swett, Joseph, 525, 526.
 Symonds, George, 292; Richard,
 545; Thomas, 196.
 Talbot County, 597.
 Tarling, Richard, 9, 27.
 Taxes, 174.
 Taylor, George, 194, 448, 451,
 453, 454, 469, 471, 588; John,
 35, 138, 139, 166, 457, 576;
 Robert, 5, 25, 26, 72, 75, 77,
 78, 89, 103, 150, 194, 199, 200,
 241, 279, 396, 421, 520; Sarah,
 482, 500-506, 525, 532, 550,
 551; Thomas, 89, 314, 345,
 447, 490; *v.* Armitage, 314;
v. Courtney, 532, 550, 551; *v.*
 Jordan, 194; *v.* Veitch, 200.
 Tenicke, John, 57.
 Tenahill (Tennehill), William,
 423.
 Tennison, Michael, 116.
 Teresa, Margaret, 264.
 Testamentary Law, see Admin-
 istration of Estates, 51-55.
 Tethershall (Tattershall), Wil-
 liam, 394, 423, 447, 451, 452,
 515, 560, 562, 563; *v.* Pile,
 394, 423.
 Theft, 186, 208, 221, 255, 382,
 432-434, 541, 552.
 Theftboate, 245, 289.
 Thickpenny, Henry, 55, 65, 75,
 81, 83, 98, 177, 198, 219, 230,
 260, 384, 436; *v.* Cornwaleys,
 384; *v.* Johnson, 98, 177, 260;
v. Sprigge, 198, 230; *v.*
 White, 198.
 Thimbleby, John, 237, 238;
 Robert, 227, 247.
 *Thirmby Grange, 491.
 Thomas, Anne, 350, 352; David,
 68, 69, 351, 352; Philip, 313,
 318, 372, 374, 419; Robert, 61,
 99, 159, 192, 451, 452;
 Thomas, 3, 9, 12, 30, 64, 66,
 83, 203, 285, 452, 472; Wil-
 liam, 30-50, 122, 158, 181, 257,
 259, 387; *v.* Cole, 350; *v.* Pot-
 ter, 122, 158.
 Thompkin (Thompkinson),
 John (alias Cheshire), 39, 69,
 259, 507, 526, 527, 530, 534.
 Thompson (Tompson), Anne,
 493, 494; George, 50, 131, 136,
 168, 179, 181, 182, 259, 291,
 486, 492, 493, 495, 496, 498,
 506, 539, 540, 569, 576, 584;
 James, 34, 417, 486, 487, 493,
 531; Robert, 341; William,
 101, 128, 394, 559, 561, 563,
 565; *v.* Gardiner, 487, 493; *v.*
 Gerrard, 495, 506, 507, 539,
 540.
 Thorowgood, Capt., 355.
 Thurston, Thomas, 104, 114,
 268, 286, 287, 319, 322, 331,
 333, 334, 339, 508.
 Thwing, John, 526.
 Tickner (Ticknor), Stephen,
 57, 119; Thomas, 62, 63, 304,
 358-361; *v.* Jones, 57; *v.*
 Price, 360, 361; *v.* Wade, 358,
 359.
 Tilghman, Samuel, 92-95, 133,
 194, 195, 199, 204, 213-217,
 254, 259, 276, 301, 303, 312,
 358, 367, 379, 380, 400-403,
 417, 434, 435, 512, 513, 516;
v. Bateman, 379, 417; *v.* Ed-
 win, 195, 215; *v.* Kedger, 194,
 213; *v.* Thompson, 259.
 Tilney, Anne, 347, 437, 487, 490,
 491, 494, 509, 515, 519, 532,
 537, 587; *v.* Atcheson, 532,
 537.
 Titmarsh, John, 432, 480.
 Tobacco crop, 35, 80, 84, 93,
 140, 153-155, 165-167, 284,
 285, 290, 554; growing, 280;
 shipment of, 147; trade, 29,
 152, 409-412, 423, 426, 439,
 440, 512, 520.
 Todd (Tod), David, 184;
 Thomas, 89.
 Tolson (Toulson), Thomas,
 399, 425-427, 434, 435; Wil-
 liam, 511, 516, 517, 521; *v.*
 Stone, 399, 425-427, 434, 435.
 Tomkings, Giles, 343.
 Tongue, Friendship, 12.
 Toun, John, 183.
 Towning, Edward, 419.
 Trespass, 183, 381, 388, 389, 397,
 400, 507, 584.
 Trinity Creek, 199.
 Troope, Robert, 50, 59, 552, 588,
 591.
 Troster, John, 327.
 True (Trew), Richard, 11, 95,
 119, 128, 133, 134, 138, 168,
 169, 392, 399, 571, 587, 588;
v. Adams, 169; *v.* Robinson,
 134, 138.
 Trueman, Thomas, 9, 50, 70,
 89, 98, 219, 260, 266, 277, 289,
 416, 419, 481, 494, 585, 598-
 600; *v.* Burdett, 416, 585; *v.*
 Stevenson (Stephenson), 9,
 50, 70, 98, 151.
 Tucker, John, 323.
 Tully, John, 29.
 Tunnis, John, 31, 48, 73, 267.
 Turner, Arthur, 291-294, 362;
 Edward, 99, 159, 267, 465,
 475; Emma, 564, 565; Rob-
 ert, 550, 572; Thomas, 17, 18,
 22, 29, 30, 37, 91, 155, 327,
 384, 422, 423, 430, 432, 452,
 465, 472, 473, 476, 487, 490,
 506, 525, 552, 554, 564, 565,
 568, 570, 575, 600; William,
 5, 12, 25, 385, 486; *v.* Evans,
 570, 600; *v.* Grammar, 385;
v. Sewell, 12.
 Turney, Richard, 374, 438, 439,
 458.
 Twistleton, John, 403.
 Tybalds (Theobalds), Clem-
 ent, 204-207.
 Unjust molestation, 81.

- Utye, George, 196, 320, 457; Mary, 460; Nathaniel, 66, 74, 79, 105, 138, 157, 160, 165, 168, 179, 185, 196, 257, 258, 269, 270, 275, 289, 299, 314, 315, 319, 326, 332, 339, 344, 346, 350, 368, 369, 371-374, 409, 420, 421, 427, 428, 458, 460, 496, 507, 529, 530; *v.* Abrahamson, 179; *v.* Bretton, 421; *v.* Mansfield, 369; *v.* Sharpe, 185, 258, 275, 326; *v.* Thomas, 374; *v.* Turney, 374.
- Vampken, Samuel, 391.
- Van der Dounck, Mary, 578.
- Van Hack, John, 221, 261, 446, 447, 463, 471, 602.
- Vaughan, Robert, 105, 113, 257, 299, 331, 339, 395, 522, 525, 526, 567.
- Veitch (Vech), James, 11, 31, 49, 56, 72, 73, 76, 81, 83, 84, 97, 98, 134, 155, 160, 174, 184, 199, 200, 231, 242-244, 266, 268, 279, 285, 296, 301, 303, 364, 372, 396, 421, 472, 487, 493, 503, 520, 541, 551; *v.* Day, 266, 285; *v.* Standley, 31.
- Venereal Disease, 271.
- Virginia, 91, 115, 166, 167, 169, 187, 214, 232, 233, 235, 240, 241, 254, 255, 261, 276, 281, 326-328, 332, 340, 343, 354, 369, 386, 387, 406, 410, 411, 424, 437, 442, 444, 458, 460, 461, 472, 473, 482, 499, 508, 590, 592, 601, 602.
- Vogelaer, Jan de, 237.
- Wade, John, 54, 62, 71, 97, 237, 238, 284, 347, 359; Zachary (Zacharias), 62-64, 97, 140, 282-284, 305, 346, 357, 358, 467, 471, 482, 496-498, 503; *v.* Haggett, 482; *v.* Woodroffe, 71.
- Wadlow, Mr. ———, 436.
- Waghop (Wayhope), Archibald, 130, 138, 496; Elizabeth, 130; John, 130, 363, 364, 447, 471, 491, 500, 522, 588.
- Walker, James, 87, 131, 176, 400, 437, 447, 448; *v.* Head, 400.
- Walten, William, 452.
- Walters, Jonas, 362.
- Waltham, John, 267.
- Walton, Francis, 448, 451, 453; John, 287, 288, 332, 344, 362; Thomas, 252, 253, 598, 599.
- Ward (Warden), Francis, 575; John, 292, 293, 374, 405; Margaret, 529; Richard, 412; Thomas, 112, 271-274, 371, 389, 398, 409, 418, 420, 455, 499, 521, 524; Mrs., see Lovely; *v.* Clocker, 409.
- Ware, Agnes, 121, 126, 137; Richard, 53, 121, 126, 136, 137.
- Waring (Warren), Sara, 139, 164; Sampson, 3, 10, 34, 44, 65, 72, 77, 80, 82, 98, 100, 136, 139, 150, 152, 155, 158, 164, 182, 200, 225, 228, 244, 248, 265, 267, 268, 283, 286, 296, 301, 334, 335, 337, 338, 363-365, 372, 384, 389, 394, 396, 427, 428, 490, 496, 520, 529, 574, 581, 582; Mitchell, 372; *v.* Hamilton, 265; *v.* Tunnis, 267; *v.* Waghop, 363, 364; *v.* William, 291, 300.
- Warner, Andrew, 209, 210, 312; Mary, 409, 490; *v.* Clocker, 409.
- Warren, Anna, 43; Humphrey, 52, 151, 200, 202, 226, 260, 277, 289, 400, 437, 532, 539, 604; Ignatius, 582, 583; John, 126, 298, 419, 447, 451, 452, 569, 582; Nicholas, 237; *v.* Head, 400; *v.* Hill, 52, 151, 260; *v.* Mathews, 569, 582.
- Washington, John, 327, 328, 340, 477, 478; Lawrence, 63, 64, 326.
- Watch, 236, 435.
- Waterlin, Walter, 123, 125, 310, 487, 523.
- Watson, Andrew, 39, 50; Richard, 119, 140; Thomas, 500-506.
- Watts (Wates), Alexander, 7, 34, 98, 174, 324, 328, 329, 597; Joane, 330, 597; Peter, 475; *v.* Dorrington, 34; *v.* Veitch, 98, 174.
- Waynhames, see Wenam.
- Webb, Edmund, 295, 296; John, 201, 258, 415; Thomas, 29; *v.* Larkin, 295, 296.
- Weber, Capt. Thomas, 125, 147.
- Welch, Anthony, 450, 451.
- Wells, Edward, 29, 30; Elizabeth, 30; Richard, 89, 164, 289, 456, 457, 459, 507.
- Wenam, William, 264, 290, 559, 563.
- Wentworth, Thomas, 497, 498.
- West, Edward, 182, 515, 537.
- *Westbury Manor, 239, 488, 507.
- Westley, John, 112.
- Weston, Thomas, 239, 488.
- Wetherell, Thomas, 503, 504.
- Weynold, John, 185.
- Wheatley, John, 98.
- Wheeler, John, 264, 458, 478, 534, 539, 575.
- Whinfell, John, 77.
- Whiston, John, 381; *v.* Bently, 381.
- White, Guy, 55, 68, 198, 415; John, 501, 502, 504, 505, 525; Nicholas, 195; Thomas, 26, 27, 91, 92, 175, 176; ———, 390.
- Whitle, William, 85, 354, 553.
- Whitly, Capt., 434.
- Whyting, Richard, 217.
- Wickes (Weekes), Joseph, 89, 105, 113, 257, 259, 270-275, 283, 299, 313, 314, 319, 320, 321, 350, 371, 414, 427, 428, 530; *v.* Owens, 259, 270-275; *v.* Utye, 371; *v.* Williams, 314.
- Wicomico (Wicocomico, Wicococomako), River, 51, 79, 93, 165, 407, 449, 463, 474, 557, 565, 566; *West, 87.
- Widow's right, 320, 514, 518.
- Wilkinson, Thomas, 115; William, 13, 125, 150, 151, 196, 226, 228-230, 243, 244, 571, 597; *v.* Brooks, 196; *v.* Stone, 597.
- Will, see Administration of Estates, 43, 116, 117, 121, 262; Nuncupative, 178, 180, 197.
- Willan, Elizabeth, 304, 490, 491; Grace, 304; Richard, 56, 62, 88, 101, 116, 133, 164, 166, 174, 194, 204, 207, 209, 211-213, 231, 244, 248, 264, 265, 283, 304, 305, 310, 362, 372, 373, 405, 418, 432, 462, 490, 491, 537, 538, 552, 556, 575, 588, 596, 602, 603; Robert, 374; *v.* Innis, 602; *v.* Kedger, 194.
- Williams, Edward, 292, 366; John, 150, 207-212, 221-223, 255, 284, 285, 323, 334, 383, 514; Margaret, 386-388; Mary, 207-213, 221-223, 255, 383, 426, 512; Thomas, 509; William, 313, 314; *v.* Overzee, 284, 285; *v.* Wickes, 313.
- Williamson, Thomas, 189, 566.
- Wills, Thomas, 50, 51.
- Wilson, George, 132, 137, 398, 446, 447, 455, 499, 518, 521; Peter, 529; Robert, 292.
- Windmill, 126, 395, 438, 603.
- Wiseman, R., 123.
- Witchcraft, 327, 328.
- Withers, Samuel, 89, 320, 419.
- *Wolleston Manor, 238.
- Wood, Edward, 486, 493; *v.* Harwood, 486, 493.
- Woodbury, Andrew, 596.
- Woodroffe, William, 71, 283.
- Woodward, Thomas, 468.
- Woolchurch, Henry, 333.
- Woolman, Richard, 89, 200, 225; *v.* Harwood, 200, 225.
- Woosey, James, 450, 451, 578.
- Wordsworth, Richard, 480.
- Worsopp, Edward, 359, 361.
- *Worton, 459, 460.
- Wright, Arthur, 32, 77, 397; Francis, 492; George, 150, 267, 515; Ishmael, 25, 56, 65, 248, 334; Mary, 20; Richard,

- | | | |
|--|--|--|
| <p>366, 367, 438; Thomas, 280,
398, 409, 522, 523, 541, 596;
Mr., 567; <i>v.</i> Lee, 366, 367;
<i>v.</i> Turney, 438, 439.
Wyatt, Nicholas, 321.
Wye River, 486, 491.
Wyne (Wynne), Francis, 496;
Thomas, 123, 532, 535, 536;
<i>v.</i> Atcheson, 535, 536.</p> | <p>Yardley, Francis, 51, 82, 139,
140, 186, 234, 235, 254, 261;
Sarah, 51, 234, 236, 254.
Yarmouth, 36, 306.
Yeates, Peter, 369.
York River, 436.
Yorke, William, 185.
Young, Nicholas, 204, 241, 243,
246, 310, 344, 405, 417, 447,</p> | <p>454, 471, 509, 553, 571, 576,
586, 588; Richard, 315;
Sarah, 85; William, 5, 86,
132, 134, 167, 207, 553; <i>v.</i>
Slye, 571, 586, 587.
Yow (Yoe), Hugh, 380;
Stephen, 461; <i>v.</i> Anderson,
380.</p> |
|--|--|--|

